



**Iowa General Assembly**  
**Daily Bills, Amendments and Study Bills**  
**April 15, 2014**

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Senate File 2349

H-8269

1 Amend the amendment, H-8250, to Senate File 2349,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:

4 1. Page 6, after line 10 by inserting:

5 <DIVISION \_\_\_\_\_

6 IOWA COMMUNICATIONS NETWORK — CONTRACTS

7 Sec. \_\_\_\_\_. IOWA COMMUNICATIONS NETWORK —  
8 AUTHORIZATION FOR CONTRACTS. Pursuant to section  
9 8D.11, subsection 1, paragraph "a", the general  
10 assembly authorizes the Iowa telecommunications  
11 and technology commission to enter into a contract  
12 or contracts in excess of the contract limitation  
13 amount established in section 8D.11, subsection  
14 1, paragraph "c", for purposes of the commission's  
15 network managed services request for proposals process.  
16 This authorization applies for the duration of the  
17 commission's project and to all affected contracts  
18 associated with the project, whether or not the award  
19 is made to a single vendor or multiple vendors.>

20 2. Page 6, after line 12 by inserting:

21 <Sec. \_\_\_\_\_. 2007 Iowa Acts, chapter 219, section 2,  
22 as amended by 2011 Iowa Acts, chapter 133, section 32,  
23 2012 Iowa Acts, chapter 1138, section 10, and 2013 Iowa  
24 Acts, chapter 142, section 40, is amended to read as  
25 follows:

26 SEC. 2. REVERSION.

27 1. Except as provided in subsection 2 and  
28 notwithstanding section 8.33, moneys appropriated  
29 for the fiscal year beginning July 1, 2007, in this  
30 division of this Act that remain unencumbered or  
31 unobligated at the close of the fiscal year shall not  
32 revert but shall remain available for the purposes  
33 designated until the close of the fiscal year that  
34 begins July 1, 2010, or until the project for which  
35 the appropriation was made is completed, whichever is  
36 earlier.

37 2. a. Notwithstanding section 8.33, moneys  
38 appropriated in section 1, subsection 1, paragraphs  
39 "a" and "f" of this division of this Act that remain  
40 unencumbered or unobligated at the close of the fiscal  
41 year for which they were appropriated shall not revert  
42 but shall remain available for the purposes designated  
43 until the close of the fiscal year that begins July  
44 1, ~~2013~~ 2014, or until the project for which the  
45 appropriation was made is completed, whichever is  
46 earlier.

47 b. The department of administrative services  
48 is authorized to provide for the disposition and  
49 relocation of structures located at 707 east locust  
50 and 709 east locust, Des Moines, Iowa, in a manner as

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1 deemed appropriate by the department. The disposition  
2 of the structures, if possible, shall be completed in  
3 a manner that reduces or eliminates the costs of the  
4 state associated with the removal of the structures  
5 from their current locations. Any amount received from  
6 the disposition of the structures as permitted under  
7 this section shall be retained by the department to pay  
8 for improvement costs associated with the restoration  
9 of the west capitol terrace. The department, if unable  
10 to otherwise dispose of the structures, is authorized  
11 to demolish the structures using other appropriate  
12 funding available to the department.>  
13 3. By renumbering as necessary.

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HUSEMAN of Cherokee



Iowa General Assembly  
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Senate File 2349

H-8270

1 Amend the amendment, H-8250, to Senate File 2349,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 2, line 2, by striking <2,000,000> and  
5 inserting <1,000,000>  
6 2. Page 2, after line 2 by inserting:  
7 <0c. For a river and waterway restoration program  
8 to provide numerous benefits to water quality and  
9 wildlife habitat in Iowa:  
10 FY 2014-2015:  
11 ..... \$ 1,000,000  
12 Of the amount appropriated in this lettered  
13 paragraph, \$300,000 shall be used to consult with the  
14 department of agriculture and land stewardship and  
15 other involved entities to develop a plan that builds  
16 upon current and emergent efforts and related programs  
17 to identify and facilitate meaningful and effective  
18 river restoration priorities and \$700,000 shall be used  
19 to fund demonstration projects on a cost-share basis  
20 with watershed management authorities or other local  
21 governments and local landowners or watershed groups  
22 to achieve outcomes addressing a range of restoration  
23 needs and opportunities.>  
24 3. By renumbering as necessary.

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ISENHART of Dubuque

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RUFF of Clayton

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House File 2466

H-8271

1 Amend House File 2466 as follows:  
2 1. Page 2, by striking lines 15 through 17 and  
3 inserting <assessment procedures for section 42  
4 property is irrevocable. Property that is withdrawn  
5 from the assessment procedures for section 42 property  
6 shall be classified and assessed as multiresidential  
7 property unless the property otherwise fails to meet  
8 the requirements of section 441.21, subsection 13.  
9 Upon adoption of uniform rules by the department>  
10 2. Page 2, after line 26 by inserting:  
11 <Sec. \_\_\_\_\_. Section 441.21, subsection 13, paragraph  
12 d, as enacted by 2013 Iowa Acts, chapter 123, section  
13 28, is amended to read as follows:  
14 d. In no case, however, shall property Property  
15 that is rented or leased to low-income individuals and  
16 families as authorized by section 42 of the Internal  
17 Revenue Code, and that is subject to assessment  
18 procedures relating to section 42 property under  
19 section 441.21, has not been withdrawn from section  
20 42 assessment procedures under subsection 2 of this  
21 section, or a hotel, motel, inn, or other building  
22 where rooms or dwelling units are usually rented  
23 for less than one month shall not be classified as  
24 multiresidential property under this subsection.>

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HAGENOW of Polk

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Senate File 2347

H-8272

1 Amend the amendment, H-8248, to Senate File 2347,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, after line 2 by inserting:  
5 <\_\_\_\_. Page 2, by striking line 30 and inserting  
6 <2,330,488>>  
7 2. Page 1, after line 4 by inserting:  
8 <\_\_\_\_. Page 4, by striking line 8 and inserting  
9 <50,349,986>  
10 \_\_\_\_\_. Page 4, by striking line 13 and inserting  
11 <1,976,000>>  
12 3. Page 1, by striking lines 26 through 40.  
13 4. Page 1, by striking lines 43 through 48 and  
14 inserting:  
15 <\_\_\_\_. Page 34, after line 28 by inserting:  
16 <DIVISION \_\_\_\_  
17 SUPPLEMENTAL AND OTHER APPROPRIATIONS — TUITION  
18 REDUCTION  
19 DEPARTMENT OF EDUCATION  
20 Sec. \_\_\_\_\_. DEPARTMENT OF EDUCATION. There is  
21 appropriated from the general fund of the state to the  
22 department of education for the fiscal year beginning  
23 July 1, 2014, and ending June 30, 2015, the following  
24 amount, or so much thereof as is necessary, to be used  
25 for the purposes designated:  
26 COMMUNITY COLLEGES. For reducing the resident  
27 tuition rates at the community colleges for the  
28 2014-2015 fiscal year:  
29 ..... \$ 8,050,986  
30 The moneys appropriated in this subsection shall  
31 be allocated pursuant to the formula established in  
32 section 260C.18C. Each community college shall use  
33 the amount received in accordance with this section  
34 to reduce the resident tuition rate for fiscal year  
35 2014-2015.  
36 STATE BOARD OF REGENTS  
37 Sec. \_\_\_\_\_. There is appropriated from the general  
38 fund of the state to the state board of regents for the  
39 fiscal year beginning July 1, 2014, and ending June 30,  
40 2015, the following amounts, or so much thereof as is  
41 necessary, to supplement appropriations made for the  
42 following designated purposes:  
43 1. STATE UNIVERSITY OF IOWA — GENERAL UNIVERSITY,  
44 INCLUDING LAKESIDE LABORATORY  
45 For salaries, support, maintenance, equipment,  
46 financial aid, and miscellaneous purposes, in addition  
47 to any other moneys appropriated to the state board of  
48 regents for these purposes:  
49 ..... \$ 13,636,920  
50 From the moneys appropriated in this subsection,

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1 \$9,236,920 shall be used to reduce the university's  
2 resident undergraduate base tuition rates approved by  
3 the state board for fiscal year 2014-2015 at the state  
4 board's December 4, 2013, meeting.  
5 2. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
6 For reducing the university's resident undergraduate  
7 base tuition rate approved by the state board for  
8 fiscal year 2014-2015 at the state board's December 4,  
9 2013, meeting:  
10 ..... \$ 7,237,832  
11 3. UNIVERSITY OF NORTHERN IOWA  
12 For reducing the university's resident undergraduate  
13 base tuition rate approved by the state board for  
14 fiscal year 2014-2015 at the state board's December 4,  
15 2013, meeting:  
16 ..... \$ 3,638,069>>  
17 5. By renumbering as necessary.

\_\_\_\_\_  
WINCKLER of Scott

\_\_\_\_\_  
ABDUL-SAMAD of Polk

\_\_\_\_\_  
ANDERSON of Polk

\_\_\_\_\_  
BERRY of Black Hawk

\_\_\_\_\_  
COHOON of Des Moines

\_\_\_\_\_  
DAWSON of Woodbury

\_\_\_\_\_  
GAINES of Polk

\_\_\_\_\_  
GASKILL of Wapello

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\_\_\_\_\_  
HALL of Woodbury

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HANSON of Jefferson

\_\_\_\_\_  
HEDDENS of Story

\_\_\_\_\_  
HUNTER of Polk

\_\_\_\_\_  
KEARNS of Lee

\_\_\_\_\_  
KELLEY of Jasper

\_\_\_\_\_  
KRESSIG of Black Hawk

\_\_\_\_\_  
LENSING of Johnson

\_\_\_\_\_  
LUNDBY of Linn

\_\_\_\_\_  
MASCHER of Johnson

\_\_\_\_\_  
MURPHY of Dubuque

\_\_\_\_\_  
T. OLSON of Linn

\_\_\_\_\_  
OURTH of Warren





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PRICHARD of Floyd

RUFF of Clayton

RUNNING-MARQUARDT of Linn

M. SMITH of Marshall

STAED of Linn

STECKMAN of Cerro Gordo

STUTSMAN of Johnson

THOMAS of Clayton

WESSEL-KROESCHELL of Story

WOLFE of Clinton

WOOD of Scott



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Senate File 2347

H-8273

- 1 Amend Senate File 2347, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 26, after line 30 by inserting:  
4 <Sec. \_\_\_\_\_. Section 257.8, subsection 1, Code 2014,  
5 is amended to read as follows:  
6 1. *State percent of growth.* ~~The state percent of~~  
7 ~~growth for the budget year beginning July 1, 2012,~~  
8 ~~is two percent.~~ The state percent of growth for the  
9 budget year beginning July 1, 2013, is two percent.  
10 The state percent of growth for the budget year  
11 beginning July 1, 2014, is four percent. The state  
12 percent of growth for the budget year beginning July  
13 1, 2015, is six percent. The state percent of growth  
14 for each subsequent budget year shall be established  
15 by statute which shall be enacted within thirty days  
16 of the submission in the year preceding the base year  
17 of the governor's budget under section 8.21. The  
18 establishment of the state percent of growth for a  
19 budget year shall be the only subject matter of the  
20 bill which enacts the state percent of growth for a  
21 budget year.>  
22 2. Page 34, after line 28 by inserting:  
23 <Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following  
24 provision or provisions of this Act, being deemed of  
25 immediate importance, take effect upon enactment:  
26 1. The section of this Act amending section 257.8,  
27 subsection 1.>  
28 3. Title page, line 5, by striking <atters> and  
29 inserting <atters, and including effective date  
30 provisions>  
31 4. By renumbering as necessary.

\_\_\_\_\_  
STECKMAN of Cerro Gordo

\_\_\_\_\_  
ABDUL-SAMAD of Polk

\_\_\_\_\_  
ANDERSON of Polk

\_\_\_\_\_  
BEARINGER of Fayette

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Iowa General Assembly  
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BERRY of Black Hawk

COHOON of Des Moines

DAWSON of Woodbury

DUNKEL of Dubuque

GAINES of Polk

GASKILL of Wapello

HALL of Woodbury

HANSON of Jefferson

HUNTER of Polk

ISENHART of Dubuque

KEARNS of Lee

KELLEY of Jasper

KRESSIG of Black Hawk

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Iowa General Assembly  
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LENSING of Johnson

LUNDBY of Linn

LYKAM of Scott

MUHLBAUER of Crawford

MURPHY of Dubuque

OLDSON of Polk

OURTH of Warren

PRICHARD of Floyd

RUFF of Clayton

M. SMITH of Marshall

STAED of Linn

THEDE of Scott

WINCKLER of Scott

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WOLFE of Clinton

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WOOD of Scott



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Senate File 2347

H-8274

1 Amend Senate File 2347, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 37, after line 13 by inserting:

4 <DIVISION

5 STATEWIDE PRESCHOOL PROGRAM PROVISIONS

6 Sec. \_\_\_\_\_. Section 256C.3, subsection 3, paragraph  
7 h, Code 2014, is amended to read as follows:

8 h. Provision for ensuring that children receiving  
9 care from other child care arrangements can participate  
10 in the preschool program with minimal disruption due to  
11 transportation and movement from one site to another.  
12 The children participating in the preschool program may  
13 be transported by the school district to activities  
14 associated with the program along with other children.

15 Sec. \_\_\_\_\_. Section 256C.3, subsection 3, Code 2014,  
16 is amended by adding the following new paragraph:

17 NEW PARAGRAPH. i. A requirement that children  
18 with a family income at or below one hundred thirty  
19 percent of the federal poverty level, as defined by  
20 the most recently revised poverty income guidelines  
21 published by the United States department of health  
22 and human services, shall not be subject to additional  
23 tuition, fees, or other charges for added preschool  
24 time or other preschool-related services provided in  
25 addition to the minimum hours of instruction provided  
26 in accordance with paragraph "f".

27 Sec. \_\_\_\_\_. Section 256C.3, subsection 4, Code 2014,  
28 is amended by adding the following new paragraph:

29 NEW PARAGRAPH. e. Development and implementation  
30 of a plan for the school district's preschool program  
31 to have sufficient capacity to operate without a  
32 waiting list for school budget years beginning on or  
33 after July 1, 2017.

34 Sec. \_\_\_\_\_. Section 256C.4, subsection 1, paragraphs  
35 g and h, Code 2014, are amended to read as follows:

36 g. For the fiscal year beginning July 1, ~~2011~~  
37 2014, and each succeeding fiscal year, of the amount  
38 of preschool foundation aid received by a school  
39 district for a fiscal year in accordance with section  
40 257.16, not more than five percent may be used by  
41 the school district for administering the district's  
42 approved local program. Outreach activities and rent  
43 for facilities not owned by the school district are  
44 permissive uses of the administrative funds.

45 h. For the fiscal year beginning July 1, ~~2012~~ 2014,  
46 and each succeeding fiscal year, of the amount of  
47 preschool foundation aid received by a school district  
48 for a fiscal year in accordance with section 257.16,  
49 not less than ninety-five percent of the per pupil  
50 amount shall be passed through to a community-based

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1 provider for each pupil enrolled in the district's  
2 approved local program. For the fiscal year beginning  
3 July 1, 2011 2014, and each succeeding fiscal year, not  
4 more than ~~five~~ ten percent of the amount of preschool  
5 foundation aid passed through to a community-based  
6 provider may be used by the community-based provider  
7 for administrative costs. The costs of outreach  
8 activities and rent for facilities not owned by  
9 the school district are permissive administrative  
10 costs. The costs of transportation involving children  
11 participating in the preschool program and other  
12 children may be prorated.

13 Sec. \_\_\_\_\_. Section 256C.4, subsection 2, paragraph  
14 b, Code 2014, is amended to read as follows:

15 *b.* The enrollment count of eligible students shall  
16 not include a child who is included in the enrollment  
17 count determined under section 257.6 or a child who  
18 is served by a ~~an existing preschool program already~~  
19 receiving state or federal funds for the purpose of  
20 ~~the provision of providing four-year-old preschool~~  
21 programming while the child is being served by the  
22 existing program. ~~Such preschool programming~~ However,  
23 the enrollment count of eligible students may include  
24 a child being served by an existing preschool program  
25 if the preschool programming in the existing program  
26 has been enhanced as a result of preschool program  
27 expansion incentive state aid provided under section  
28 256C.7. For the purposes of this chapter an *"existing*  
29 *preschool program"* includes but is not limited to  
30 shared visions and other child development assistance  
31 programs provided under chapter 256A and section  
32 279.51, special education programs provided under  
33 section 256B.9, school ready children grant programs  
34 and other programs provided under chapter 256I, and  
35 federal head start programs and the services funded  
36 by Tit. I of the federal Elementary and Secondary  
37 Education Act of 1965.

38 Sec. \_\_\_\_\_. Section 256C.5, subsection 1, unnumbered  
39 paragraph 1, Code 2014, is amended to read as follows:

40 For the purposes of this ~~section and section 256C.4~~  
41 ~~chapter~~, unless the context otherwise requires:

42 Sec. \_\_\_\_\_. **NEW SECTION. 256C.7 Preschool program**  
43 **expansion incentive.**

44 1. For the purposes of this section, unless the  
45 context otherwise requires:

46 *a.* *"Base incentive enrollment"* means the average  
47 of the actual enrollments of eligible students in the  
48 preschool programming provided by a school district on  
49 October 1, 2011, October 1, 2012, and October 1, 2013.

50 *b.* *"Incentive period"* means the budget years



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1 beginning July 1, 2015, July 1, 2016, and July 1, 2017.  
2     *c. "Incentive enrollment"* means the amount by which  
3 the actual enrollment of eligible students in the  
4 preschool programming provided by a school district  
5 on October 1 of the base year exceeds the school  
6 district's base incentive enrollment.  
7     *d. "Incentive state aid"* means the product of twenty  
8 percent of the regular program state cost per pupil for  
9 the budget year multiplied by the school district's  
10 incentive enrollment in the base year.  
11     2. *a.* A preschool program expansion incentive  
12 is established in accordance with this section. In  
13 order to be eligible for the incentive, a school  
14 district must develop and implement a preschool  
15 program expansion plan, approved by the department, to  
16 expand enrollment of eligible students in the school  
17 district's preschool programming. In addition, the  
18 school district shall work with existing preschool  
19 program providers to expand hours and otherwise enhance  
20 the preschool programming available to the children  
21 participating in the programs. The plan's goal  
22 shall be that by the end of the incentive period the  
23 district's preschool programming will be available  
24 without a waiting list to each child wanting to enroll  
25 in the programming. After completion of the incentive  
26 period, the department shall analyze the growth in  
27 access to the preschool program and enhancements made  
28 in preschool programming as a result of the incentive,  
29 including in the programs provided directly by school  
30 districts and in those offered in partnership with  
31 community providers. The department shall submit  
32 a report to the general assembly that shall include  
33 identification of progress made toward the incentive  
34 program's goals and documentation of collaboration  
35 efforts made with input from participating families,  
36 early care providers, and community partners.  
37     *b.* The elements addressed in the preschool program  
38 expansion plan shall include but are not limited to the  
39 following:  
40         (1) How the school district will work in  
41 collaboration with participating families, early care  
42 providers, and community partners, as described in  
43 section 256C.3, subsection 3, to provide the preschool  
44 programming in as convenient and cost-effective  
45 a manner as possible for the families of the  
46 four-year-old children who are eligible for the  
47 programming.  
48         (2) A specification of the roles of the early care  
49 providers and community partners in support of the  
50 expansion plan.

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1 (3) A delineation of the specific steps for  
2 expanding hours and otherwise enhancing the preschool  
3 programming available to the children participating in  
4 the existing preschool programs located in the school  
5 district.  
6 (4) Identification of specific outcomes and  
7 progress measures for the expansion plan.  
8 (5) Detailed plans for contacting and soliciting  
9 enrollment of eligible students, particularly from  
10 low-income families, non-English speaking families, and  
11 families from ethnic and racial groups underrepresented  
12 in the district's preschool program enrollment.  
13 3. The department of education shall provide  
14 required elements and recommend best practices for  
15 outreach and program expansion under the incentive,  
16 including expansion plan models that school districts  
17 may consider in developing their local expansion plans,  
18 and including but not limited to submission provisions,  
19 annual updates, and documentation of collaboration  
20 efforts with and input from participating families,  
21 early care providers, and community partners.  
22 4. During the incentive period, in addition to the  
23 regular preschool foundation aid based on the preschool  
24 budget enrollment, the school district implementing a  
25 preschool expansion plan approved by the department  
26 shall receive incentive state aid based on the  
27 district's incentive enrollment. The incentive state  
28 aid shall be paid as part of the state aid payments  
29 made to school districts in accordance with section  
30 257.16.  
31 5. A school district shall utilize its incentive  
32 state aid to defray increases in costs in connection  
33 with the school district's preschool program expansion  
34 plan. Such costs shall include but are not limited  
35 to renovation and other facility costs connected with  
36 expansion, outreach, one-time expenses, and other costs  
37 identified as eligible by the department.  
38 Sec. \_\_\_\_\_. Section 257.16, Code 2014, is amended by  
39 adding the following new subsection:  
40 NEW SUBSECTION. 1A. For the fiscal years in which  
41 the preschool program expansion incentive applies in  
42 accordance with section 256C.7, the appropriation made  
43 in subsection 1 shall include the amount necessary to  
44 pay incentive state aid in accordance with section  
45 256C.7. This subsection is repealed on July 1, 2018.  
46 Sec. \_\_\_\_\_. STATE MANDATE FUNDING SPECIFIED. In  
47 accordance with section 25B.2, subsection 3, the state  
48 cost of requiring compliance with any state mandate  
49 included in this division of this Act shall be paid  
50 by a school district from state school foundation

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1 aid received by the school district under section  
2 257.16. This specification of the payment of the  
3 state cost shall be deemed to meet all of the state  
4 funding-related requirements of section 25B.2,  
5 subsection 3, and no additional state funding shall be  
6 necessary for the full implementation of this division  
7 of this Act by and enforcement of this division of this  
8 Act against all affected school districts.>  
9 2. By renumbering as necessary.

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STECKMAN of Cerro Gordo

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ABDUL-SAMAD of Polk

---

ANDERSON of Polk

---

BEARINGER of Fayette

---

BERRY of Black Hawk

---

COHOON of Des Moines

---

DAWSON of Woodbury

---

DUNKEL of Dubuque

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GASKILL of Wapello

---

HALL of Woodbury



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\_\_\_\_\_  
HANSON of Jefferson

\_\_\_\_\_  
HUNTER of Polk

\_\_\_\_\_  
ISENHART of Dubuque

\_\_\_\_\_  
KEARNS of Lee

\_\_\_\_\_  
KELLEY of Jasper

\_\_\_\_\_  
KRESSIG of Black Hawk

\_\_\_\_\_  
LUNDBY of Linn

\_\_\_\_\_  
LYKAM of Scott

\_\_\_\_\_  
MUHLBAUER of Crawford

\_\_\_\_\_  
MURPHY of Dubuque

\_\_\_\_\_  
OLDSON of Polk

\_\_\_\_\_  
OURTH of Warren

\_\_\_\_\_  
PRICHARD of Floyd

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RUFF of Clayton

M. SMITH of Marshall

STAED of Linn

STUTSMAN of Johnson

THEDE of Scott

WINCKLER of Scott

WOLFE of Clinton

WOOD of Scott



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Senate File 2347

H-8275

- 1 Amend Senate File 2347, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by striking line 23 and inserting
- 4 <66,791,351>
- 5 2. Page 31, line 20, by striking <d, and f> and
- 6 inserting <and d>
- 7 3. Page 33, by striking lines 2 through 10.
- 8 4. By renumbering as necessary.

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STECKMAN of Cerro Gordo

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Senate File 2342

H-8276

1 Amend the amendment, H-8228, to Senate File 2342,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, by striking lines 3 through 25 and  
5 inserting:  
6 < \_\_\_\_\_. Page 17, by striking lines 22 through 29.  
7 \_\_\_\_\_. Page 17, after line 31 by inserting:  
8 <DIVISION \_\_\_\_\_  
9 UNCLAIMED LIFE INSURANCE DEATH BENEFITS  
10 Sec. \_\_\_\_\_. NEW SECTION. 507B.4C Unclaimed life  
11 insurance.  
12 1. *Purpose.* The purpose of this section is to  
13 require complete and proper disclosure, transparency,  
14 and accountability relating to any method of payment  
15 for life insurance death benefits regulated by the  
16 commissioner.  
17 2. *Definitions.* As used in this section, unless  
18 the context otherwise requires:  
19 a. "Account owner" means the owner of a retained  
20 asset account who is a resident of this state.  
21 b. "Annuity" means an annuity contract issued in  
22 this state. "Annuity" does not include any annuity  
23 contract used to fund an employment-based retirement  
24 plan or program where the insurer takes direction from  
25 the plan sponsor or plan administrator.  
26 c. "Authorized person" means a policy owner,  
27 insured, annuity owner, annuitant, or account holder,  
28 as applicable under a policy, annuity, or retained  
29 asset account.  
30 d. "Death master file" means the United States  
31 social security administration's death master file  
32 or any other database or service that is at least as  
33 comprehensive as the United States social security  
34 administration's death master file for determining that  
35 a person has died.  
36 e. "Death master file match" means a search of  
37 the death master file that results in a match of an  
38 authorized person's name and social security number or  
39 an authorized person's name and date of birth.  
40 f. "Insurer" means a life insurance company  
41 regulated under chapter 508.  
42 g. "Policy" means any policy or certificate of life  
43 insurance issued in this state. "Policy" does not  
44 include any of the following:  
45 (1) A policy or certificate of life insurance which  
46 provides a death benefit under an employee benefit  
47 plan subject to the federal Employee Retirement Income  
48 Security Act of 1974, Pub. L. No. 93-406, as codified  
49 at 29 U.S.C. §1002 et seq.  
50 (2) A policy or certificate of life insurance which

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1 provides a death benefit under an employee benefit plan  
2 subject to a federal employee benefit program.  
3 (3) A policy or certificate of life insurance  
4 which is used to fund a preneed plan for cemetery  
5 merchandise, funeral merchandise, funeral services, or  
6 a combination thereof.  
7 (4) A policy or certificate of credit life or  
8 accidental death insurance.  
9 (5) A policy issued to a group master policyowner  
10 for which the insurer does not provide recordkeeping  
11 services.  
12 *h. "Recordkeeping services"* means services provided  
13 by an insurer who has entered into an agreement with a  
14 group policy customer to be responsible for obtaining,  
15 maintaining, and administering in the insurer's own  
16 recordkeeping systems at least all of the following  
17 information about each individual insured under  
18 the insured's group insurance contract or a line of  
19 coverage thereunder:  
20 (1) Social security number or name and date of  
21 birth.  
22 (2) Beneficiary designation information.  
23 (3) Coverage eligibility.  
24 (4) Benefit amount.  
25 (5) Premium payment status.  
26 *i. "Retained asset account"* means an  
27 interest-bearing account set up by an insurer in  
28 the name of the beneficiary of a policy or annuity upon  
29 the death of the insured.  
30 3. *Insurer duties.*  
31 *a.* For any in-force policy, annuity, or retained  
32 asset account issued for delivery in this state for  
33 which the insurer has not previously been notified of  
34 a claim, an insurer shall perform a comparison of such  
35 policy, annuity, or retained asset account against the  
36 death master file, on at least a semiannual basis, to  
37 identify potential death master file matches.  
38 (1) An insurer may comply with the requirements of  
39 this subsection by using the full death master file for  
40 the initial comparison and thereafter using the death  
41 master file update files for subsequent comparisons.  
42 (2) Nothing in this section shall be interpreted to  
43 limit the right of an insurer to request a valid death  
44 certificate as part of any claims validation process.  
45 *b.* If an insurer learns of the possible death of an  
46 authorized person through a death master file match or  
47 otherwise, the insurer shall, within ninety days, do  
48 all of the following:  
49 (1) Complete a good faith effort, which shall be  
50 documented by the insurer, to confirm the death of the

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1 authorized person against other available records and  
2 information.  
3 (2) Review the insurer's records to determine  
4 whether the deceased authorized person had purchased  
5 any other products from the insurer.  
6 (3) Determine whether benefits may be due in  
7 accordance with the applicable policy, annuity, or  
8 retained asset account.  
9 (4) If the beneficiary or an authorized person  
10 has not communicated with the insurer within the  
11 ninety-day period, take reasonable steps, which shall  
12 be documented by the insurer, to locate and contact any  
13 beneficiary or other authorized person on the policy,  
14 annuity, or retained asset account, including sending  
15 the beneficiary or other authorized person information  
16 regarding the insurer's claims process and regarding  
17 the need to provide an official death certificate, if  
18 applicable under the policy, annuity, or retained asset  
19 account.  
20 *c.* Every insurer shall implement procedures to  
21 account for all of the following:  
22 (1) Common nicknames, initials used in lieu of a  
23 first or middle name, use of a middle name, compound  
24 first and middle names, and interchanged first and  
25 middle names.  
26 (2) Compound last names, maiden or married names,  
27 and hyphens, blank spaces, or apostrophes in last  
28 names.  
29 (3) Transposition of the month and date portions of  
30 the date of birth.  
31 (4) Incomplete social security numbers.  
32 *d.* An insurer may disclose minimum necessary  
33 personal information about a beneficiary or authorized  
34 person to an individual or entity whom the insurer  
35 reasonably believes may be able to assist the insurer  
36 in locating the beneficiary or authorized person  
37 entitled to payment of the claims proceeds.  
38 *e.* An insurer or its service provider shall not  
39 charge a beneficiary or authorized person any fees  
40 or costs associated with a death master file search  
41 conducted pursuant to this section.  
42 *f.* The benefits from a policy, annuity, or retained  
43 asset account, plus any applicable accrued interest,  
44 shall first be payable to designated beneficiaries  
45 or authorized persons, and in the event that the  
46 beneficiaries or authorized persons cannot be found,  
47 shall be reported and remitted to the state as  
48 unclaimed property pursuant to chapters 556 and 633.  
49 4. *Rules.* The commissioner shall adopt rules to  
50 administer the provisions of this section.

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1     5. *Orders.* The commissioner may issue an order  
2 doing any of the following:  
3     *a.* Limiting the death master file comparisons  
4 required under subsection 3, paragraph "a", to an  
5 insurer's electronic searchable files or approving a  
6 plan and timeline for conversion of an insurer's files  
7 to electronic searchable files.  
8     *b.* Exempting an insurer from the death master file  
9 comparisons required under subsection 3, paragraph "a",  
10 or permitting an insurer to perform such comparisons  
11 less frequently than semiannually upon a demonstration  
12 of financial hardship by the insurer.  
13     *c.* Phasing in requirements for compliance with this  
14 section according to a plan and timeline approved by  
15 the commissioner.  
16     6. *Unfair trade practice.* Failure to meet any  
17 requirement of this section with such frequency as to  
18 constitute a general business practice is an unfair  
19 method of competition and an unfair or deceptive act  
20 or practice in the business of insurance under this  
21 chapter.  
22     7. *Insurer unclaimed property reporting.*  
23     *a.* If an insurer identifies a person as deceased  
24 through a death master file match as described in  
25 subsection 3, paragraph "a", or other information  
26 source, and validates such information through a  
27 secondary information source, the insurer may report  
28 and remit the proceeds of the policy, annuity, or  
29 retained asset account due to the state prior to the  
30 dates required for such reporting and remittance under  
31 chapter 556, without further notice to or consent by  
32 the state, after attempting to contact any beneficiary  
33 under either of the following circumstances:  
34         (1) The insurer is unable to locate a beneficiary  
35 who is located in this state under the policy, annuity  
36 contract, or retained asset account, after conducting  
37 reasonable search efforts of up to one year after the  
38 insurer's validation of the death master file match.  
39         (2) No beneficiary or person, as applicable for  
40 unclaimed property reporting purposes under chapter  
41 556, has a last known address in this state.  
42     *b.* Once the insurer has reported upon and remitted  
43 the proceeds of the policy, annuity, or retained  
44 asset account to the state pursuant to chapter 556,  
45 the insurer is relieved from any and all additional  
46 liability to any beneficiary or authorized person  
47 relating to the proceeds reported upon and remitted.  
48     Sec. \_\_\_\_\_. EFFECTIVE DATE. This division of this  
49 Act takes effect July 1, 2015.>  
50     \_\_\_\_\_. By striking page 17, line 34, through page 18,

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1 line 24, and inserting:>  
2 2. Page 1, after line 33 by inserting:  
3 <\_\_\_\_. Title page, line 4, after <atters,> by  
4 inserting <including penalties,>>  
5 3. By renumbering as necessary.

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Senate Amendment to  
House File 2450

H-8277

1 Amend House File 2450, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 FY 2013-2014 — APPROPRIATIONS

7 Section 1. 2013 Iowa Acts, chapter 139, section  
8 3, subsection 1, paragraph a, is amended to read as  
9 follows:

10 a. For the operation of the Fort Madison  
11 correctional facility, including salaries, support,  
12 maintenance, and miscellaneous purposes:  
13 ..... \$ 43,107,133  
14 Of the amount appropriated in this paragraph, the  
15 department may use up to \$500,000 for the remodel of  
16 the relocated John Bennett facility and the demolition  
17 of the existing farm bunkhouse adjacent to the newly  
18 constructed Fort Madison correctional facility.  
19 Notwithstanding section 8.33, moneys allocated in this  
20 unnumbered paragraph designated for the remodel and  
21 demolition that remain unencumbered or unobligated at  
22 the close of the fiscal year shall not revert but shall  
23 remain available to be used for the purposes designated  
24 until the close of the succeeding fiscal year.

25 Sec. 2. EFFECTIVE UPON ENACTMENT. This division of  
26 this Act, being deemed of immediate importance, takes  
27 effect upon enactment.

28 DIVISION II

29 FY 2014-2015 — APPROPRIATIONS

30 Sec. 3. 2013 Iowa Acts, chapter 139, section 19, is  
31 amended to read as follows:

32 SEC. 19. DEPARTMENT OF JUSTICE.

33 1. There is appropriated from the general fund  
34 of the state to the department of justice for the  
35 fiscal year beginning July 1, 2014, and ending June 30,  
36 2015, the following amounts, or so much thereof as is  
37 necessary, to be used for the purposes designated:

38 a. For the general office of attorney general for  
39 salaries, support, maintenance, and miscellaneous  
40 purposes, including the prosecuting attorneys training  
41 program, matching funds for federal violence against  
42 women grant programs, victim assistance grants, office  
43 of drug control policy prosecuting attorney program,  
44 and odometer fraud enforcement, and for not more than  
45 the following full-time equivalent positions:

46 ..... \$ ~~3,983,965~~  
47 ..... 8,164,905  
48 ..... FTEs 214.00

49 It is the intent of the general assembly that as  
50 a condition of receiving the appropriation provided

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1 in this lettered paragraph, the department of justice  
2 shall maintain a record of the estimated time incurred  
3 representing each agency or department.

4 b. For victim assistance grants:

5 ..... \$ 3,367,200  
6 6,734,400

7 The funds appropriated in this lettered paragraph  
8 shall be used to provide grants to care providers  
9 providing services to crime victims of domestic abuse  
10 or to crime victims of rape and sexual assault.

11 The balance of the victim compensation fund  
12 established in section 915.94 may be used to provide  
13 salary and support of not more than 24 FTEs and  
14 to provide maintenance for the victim compensation  
15 functions of the department of justice.

16 The department of justice shall transfer at least  
17 \$150,000 from the victim compensation fund established  
18 in section 915.94 to the victim assistance grant  
19 program.

20 Notwithstanding section 8.33, moneys appropriated  
21 in this paragraph "b" that remain unencumbered or  
22 unobligated at the close of the fiscal year shall not  
23 revert but shall remain available for expenditure for  
24 the purposes designed until the close of the succeeding  
25 fiscal year.

26 c. For legal services for persons in poverty grants  
27 as provided in section 13.34:

28 ..... \$ 1,090,281  
29 2,400,000

30 2. a. The department of justice, in submitting  
31 budget estimates for the fiscal year commencing July  
32 1, 2015, pursuant to section 8.23, shall include a  
33 report of funding from sources other than amounts  
34 appropriated directly from the general fund of the  
35 state to the department of justice or to the office of  
36 consumer advocate. These funding sources shall include  
37 but are not limited to reimbursements from other state  
38 agencies, commissions, boards, or similar entities, and  
39 reimbursements from special funds or internal accounts  
40 within the department of justice. The department of  
41 justice shall also report actual reimbursements for the  
42 fiscal year commencing July 1, 2013, and actual and  
43 expected reimbursements for the fiscal year commencing  
44 July 1, 2014.

45 b. The department of justice shall include the  
46 report required under paragraph "a", as well as  
47 information regarding any revisions occurring as a  
48 result of reimbursements actually received or expected  
49 at a later date, in a report to the co-chairpersons  
50 and ranking members of the joint appropriations

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1 subcommittee on the justice system and the legislative  
2 services agency. The department of justice shall  
3 submit the report on or before January 15, 2015.  
4 Sec. 4. 2013 Iowa Acts, chapter 139, section 20, is  
5 amended to read as follows:  
6 SEC. 20. OFFICE OF CONSUMER ADVOCATE. There is  
7 appropriated from the department of commerce revolving  
8 fund created in section 546.12 to the office of  
9 consumer advocate of the department of justice for the  
10 fiscal year beginning July 1, 2014, and ending June 30,  
11 2015, the following amount, or so much thereof as is  
12 necessary, to be used for the purposes designated:  
13 For salaries, support, maintenance, miscellaneous  
14 purposes, and for not more than the following full-time  
15 equivalent positions:  
16 ..... \$ ~~1,568,082~~  
17 ..... 3,137,588  
18 ..... FTEs 22.00  
19 Sec. 5. 2013 Iowa Acts, chapter 139, section 21, is  
20 amended to read as follows:  
21 SEC. 21. DEPARTMENT OF CORRECTIONS — FACILITIES.  
22 1. There is appropriated from the general fund of  
23 the state to the department of corrections for the  
24 fiscal year beginning July 1, 2014, and ending June  
25 30, 2015, the following amounts, or so much thereof as  
26 is necessary, to be used for the operation of adult  
27 correctional institutions, reimbursement of counties  
28 for certain confinement costs, and federal prison  
29 reimbursement, to be allocated as follows:  
30 a. For the operation of the Fort Madison  
31 correctional facility, including salaries, support,  
32 maintenance, and miscellaneous purposes:  
33 ..... \$ ~~21,553,567~~  
34 ..... 43,021,602  
35 b. For the operation of the Anamosa correctional  
36 facility, including salaries, support, maintenance, and  
37 miscellaneous purposes:  
38 ..... \$ ~~16,460,261~~  
39 ..... 33,668,253  
40 It is the intent of the general assembly that the  
41 department of corrections maintain and operate the  
42 Luster Heights prison camp.  
43 c. For the operation of the Oakdale correctional  
44 facility, including salaries, support, maintenance, and  
45 miscellaneous purposes:  
46 ..... \$ ~~29,275,062~~  
47 ..... 59,240,786  
48 d. For the operation of the Newton correctional  
49 facility, including salaries, support, maintenance, and  
50 miscellaneous purposes:

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1 ..... \$ ~~13,563,645~~  
2 27,572,108  
3 e. For the operation of the Mt. Pleasant  
4 correctional facility, including salaries, support,  
5 maintenance, and miscellaneous purposes:  
6 ..... \$ ~~12,405,714~~  
7 25,360,135  
8 f. For the operation of the Rockwell City  
9 correctional facility, including salaries, support,  
10 maintenance, and miscellaneous purposes:  
11 ..... \$ ~~4,835,574~~  
12 9,836,353  
13 g. For the operation of the Clarinda correctional  
14 facility, including salaries, support, maintenance, and  
15 miscellaneous purposes:  
16 ..... \$ ~~12,620,808~~  
17 25,933,430  
18 Moneys received by the department of corrections as  
19 reimbursement for services provided to the Clarinda  
20 youth corporation are appropriated to the department  
21 and shall be used for the purpose of operating the  
22 Clarinda correctional facility.  
23 h. For the operation of the Mitchellville  
24 correctional facility, including salaries, support,  
25 maintenance, and miscellaneous purposes:  
26 ..... \$ ~~10,802,018~~  
27 22,045,970  
28 i. For the operation of the Fort Dodge correctional  
29 facility, including salaries, support, maintenance, and  
30 miscellaneous purposes:  
31 ..... \$ ~~14,932,616~~  
32 30,097,648  
33 j. For reimbursement of counties for temporary  
34 confinement of work release and parole violators, as  
35 provided in sections 901.7, 904.908, and 906.17, and  
36 for offenders confined pursuant to section 904.513:  
37 ..... \$ ~~537,546~~  
38 1,075,092  
39 k. For federal prison reimbursement, reimbursements  
40 for out-of-state placements, and miscellaneous  
41 contracts:  
42 ..... \$ ~~242,206~~  
43 484,411  
44 2. The department of corrections shall use moneys  
45 appropriated in subsection 1 to continue to contract  
46 for the services of a Muslim imam and a Native American  
47 spiritual leader.  
48 Sec. 6. 2013 Iowa Acts, chapter 139, section 22, is  
49 amended to read as follows:  
50 SEC. 22. DEPARTMENT OF CORRECTIONS —

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1 ADMINISTRATION. There is appropriated from the general  
2 fund of the state to the department of corrections for  
3 the fiscal year beginning July 1, 2014, and ending June  
4 30, 2015, the following amounts, or so much thereof as  
5 is necessary, to be used for the purposes designated:  
6 1. For general administration, including salaries,  
7 support, maintenance, employment of an education  
8 director to administer a centralized education  
9 program for the correctional system, and miscellaneous  
10 purposes:  
11 ..... \$ ~~2,540,791~~  
12 5,068,010  
13 a. It is the intent of the general assembly  
14 that each lease negotiated by the department of  
15 corrections with a private corporation for the purpose  
16 of providing private industry employment of inmates in  
17 a correctional institution shall prohibit the private  
18 corporation from utilizing inmate labor for partisan  
19 political purposes for any person seeking election to  
20 public office in this state and that a violation of  
21 this requirement shall result in a termination of the  
22 lease agreement.  
23 b. It is the intent of the general assembly that as  
24 a condition of receiving the appropriation provided in  
25 this subsection the department of corrections shall not  
26 enter into a lease or contractual agreement pursuant to  
27 section 904.809 with a private corporation for the use  
28 of building space for the purpose of providing inmate  
29 employment without providing that the terms of the  
30 lease or contract establish safeguards to restrict, to  
31 the greatest extent feasible, access by inmates working  
32 for the private corporation to personal identifying  
33 information of citizens.  
34 c. It is the intent of the general assembly that  
35 as a condition of receiving the appropriation provided  
36 in this subsection the department of corrections shall  
37 not, except as otherwise provided in paragraph "b",  
38 enter into a new contract, unless the contract is a  
39 renewal of an existing contract, for the expenditure  
40 of moneys in excess of \$100,000 during the fiscal  
41 year beginning July 1, 2014, for the privatization  
42 of services performed by the department using state  
43 employees as of July 1, 2014, or for the privatization  
44 of new services by the department without prior  
45 consultation with any applicable state employee  
46 organization affected by the proposed new contract and  
47 prior notification of the co-chairpersons and ranking  
48 members of the joint appropriations subcommittee on the  
49 justice system.  
50 d. It is the intent of the general assembly

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1 that the department of corrections add additional  
2 correctional officer positions to the current number  
3 of correctional officer positions as of July 1,  
4 2104, by adding six correctional officers at the  
5 Fort Madison correctional facility, six correctional  
6 officers at the Anamosa correctional facility, two  
7 correctional officers at the Oakdale correctional  
8 facility, two correctional officers at the Newton  
9 correctional facility, seven correctional officers  
10 at the Mount Pleasant correctional facility, two  
11 correctional officers at the Rockwell City correctional  
12 facility, four correctional officers at the Clarinda  
13 correctional facility, two correctional officers  
14 at the Mitchellville correctional facility, and two  
15 correctional officers at the Fort Dodge correctional  
16 facility.  
17 2. For educational programs for inmates at state  
18 penal institutions:  
19 ..... \$ 1,304,055  
20 ..... 2,608,109  
21 a. To maximize the funding for educational  
22 programs, the department shall establish guidelines  
23 and procedures to prioritize the availability of  
24 educational and vocational training for inmates based  
25 upon the goal of facilitating an inmate's successful  
26 release from the correctional institution.  
27 b. The director of the department of corrections  
28 may transfer moneys from Iowa prison industries and the  
29 canteen operating funds established pursuant to section  
30 904.310, for use in educational programs for inmates.  
31 c. Notwithstanding section 8.33, moneys  
32 appropriated in this subsection that remain unobligated  
33 or unexpended at the close of the fiscal year shall not  
34 revert but shall remain available to be used only for  
35 the purposes designated in this subsection until the  
36 close of the succeeding fiscal year.  
37 3. For the development of the Iowa corrections  
38 offender network (ICON) data system:  
39 ..... \$ 1,000,000  
40 ..... 2,000,000  
41 4. For offender mental health and substance abuse  
42 treatment:  
43 ..... \$ 11,160  
44 ..... 22,319  
45 ~~5. For viral hepatitis prevention and treatment:~~  
46 ~~..... \$ 83,941~~  
47 ~~6. For operations costs and miscellaneous purposes:~~  
48 ~~..... \$ 1,285,655~~  
49 7. It is the intent of the general assembly that  
50 for the fiscal year addressed by this section the

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1 department of corrections shall continue to operate the  
2 correctional farms under the control of the department  
3 at the same or greater level of participation and  
4 involvement as existed as of January 1, 2011; shall not  
5 enter into any rental agreement or contract concerning  
6 any farmland under the control of the department that  
7 is not subject to a rental agreement or contract as of  
8 January 1, 2011, without prior legislative approval;  
9 and shall further attempt to provide job opportunities  
10 at the farms for inmates. The department shall attempt  
11 to provide job opportunities at the farms for inmates  
12 by encouraging labor-intensive farming or gardening  
13 where appropriate; using inmates to grow produce  
14 and meat for institutional consumption; researching  
15 the possibility of instituting food canning and  
16 cook-and-chill operations; and exploring opportunities  
17 for organic farming and gardening, livestock ventures,  
18 horticulture, and specialized crops.

19 Sec. 7. 2013 Iowa Acts, chapter 139, section 23, is  
20 amended to read as follows:

21 SEC. 23. JUDICIAL DISTRICT DEPARTMENTS OF  
22 CORRECTIONAL SERVICES.

23 1. There is appropriated from the general fund of  
24 the state to the department of corrections for the  
25 fiscal year beginning July 1, 2014, and ending June  
26 30, 2015, for salaries, support, maintenance, and  
27 miscellaneous purposes, the following amounts, or  
28 so much thereof as is necessary, to be allocated as  
29 follows:

30 a. For the first judicial district department of  
31 correctional services:

32 ..... \$ ~~7,049,543~~  
33 14,753,977

34 It is the intent of the general assembly that the  
35 first judicial district department of correctional  
36 services maintain the drug courts operated by the  
37 district department.

38 b. For the second judicial district department of  
39 correctional services:

40 ..... \$ ~~5,435,213~~  
41 11,500,661

42 It is the intent of the general assembly that the  
43 second judicial district department of correctional  
44 services establish and maintain two drug courts to be  
45 operated by the district department.

46 c. For the third judicial district department of  
47 correctional services:

48 ..... \$ ~~3,552,933~~  
49 7,241,257

50 d. For the fourth judicial district department of

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1 correctional services:  
2 ..... \$ ~~2,747,655~~  
3 ~~5,608,005~~  
4 e. For the fifth judicial district department of  
5 correctional services, including funding for electronic  
6 monitoring devices for use on a statewide basis:  
7 ..... \$ ~~9,687,714~~  
8 ~~20,304,616~~  
9 It is the intent of the general assembly that the  
10 fifth judicial district department of correctional  
11 services maintain the drug court operated by the  
12 district department.  
13 f. For the sixth judicial district department of  
14 correctional services:  
15 ..... \$ ~~7,319,269~~  
16 ~~14,833,623~~  
17 It is the intent of the general assembly that the  
18 sixth judicial district department of correctional  
19 services maintain the drug court operated by the  
20 district department.  
21 g. For the seventh judicial district department of  
22 correctional services:  
23 ..... \$ ~~3,804,891~~  
24 ~~7,856,873~~  
25 It is the intent of the general assembly that the  
26 seventh judicial district department of correctional  
27 services maintain the drug court operated by the  
28 district department.  
29 h. For the eighth judicial district department of  
30 correctional services:  
31 ..... \$ ~~4,103,307~~  
32 ~~8,133,194~~  
33 2. Each judicial district department of  
34 correctional services, within the funding available,  
35 shall continue programs and plans established within  
36 that district to provide for intensive supervision, sex  
37 offender treatment, diversion of low-risk offenders  
38 to the least restrictive sanction available, job  
39 development, and expanded use of intermediate criminal  
40 sanctions.  
41 3. Each judicial district department of  
42 correctional services shall provide alternatives to  
43 prison consistent with chapter 901B. The alternatives  
44 to prison shall ensure public safety while providing  
45 maximum rehabilitation to the offender. A judicial  
46 district department of correctional services may also  
47 establish a day program.  
48 4. The governor's office of drug control policy  
49 shall consider federal grants made to the department  
50 of corrections for the benefit of each of the eight

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1 judicial district departments of correctional services  
2 as local government grants, as defined pursuant to  
3 federal regulations.

4 5. The department of corrections shall continue  
5 to contract with a judicial district department  
6 of correctional services to provide for the rental  
7 of electronic monitoring equipment which shall be  
8 available statewide.

9 Sec. 8. 2013 Iowa Acts, chapter 139, section 28, is  
10 amended to read as follows:

11 SEC. 28. IOWA LAW ENFORCEMENT ACADEMY.

12 1. There is appropriated from the general fund of  
13 the state to the Iowa law enforcement academy for the  
14 fiscal year beginning July 1, 2014, and ending June 30,  
15 2015, the following amount, or so much thereof as is  
16 necessary, to be used for the purposes designated:

17 For salaries, support, maintenance, miscellaneous  
18 purposes, including jailer training and technical  
19 assistance, and for not more than the following  
20 full-time equivalent positions:

21 .....	\$	500,849
22 .....		881,214
23 .....	FTEs	23.88
24 .....		22.00

25 It is the intent of the general assembly that the  
26 Iowa law enforcement academy may provide training of  
27 state and local law enforcement personnel concerning  
28 the recognition of and response to persons with  
29 Alzheimers's disease.

30 The Iowa law enforcement academy may temporarily  
31 exceed and draw more than the amount appropriated in  
32 this subsection and incur a negative cash balance as  
33 long as there are receivables equal to or greater than  
34 the negative balance and the amount appropriated in  
35 this subsection is not exceeded at the close of the  
36 fiscal year.

37 2. The Iowa law enforcement academy may select  
38 at least five automobiles of the department of public  
39 safety, division of state patrol, prior to turning over  
40 the automobiles to the department of administrative  
41 services to be disposed of by public auction, and  
42 the Iowa law enforcement academy may exchange any  
43 automobile owned by the academy for each automobile  
44 selected if the selected automobile is used in training  
45 law enforcement officers at the academy. However,  
46 any automobile exchanged by the academy shall be  
47 substituted for the selected vehicle of the department  
48 of public safety and sold by public auction with the  
49 receipts being deposited in the depreciation fund to  
50 the credit of the department of public safety, division

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1 of state patrol.  
2 Sec. 9. 2013 Iowa Acts, chapter 139, section 29, is  
3 amended to read as follows:  
4 SEC. 29. STATE PUBLIC DEFENDER. There is  
5 appropriated from the general fund of the state to the  
6 office of the state public defender of the department  
7 of inspections and appeals for the fiscal year  
8 beginning July 1, 2014, and ending June 30, 2015, the  
9 following amounts, or so much thereof as is necessary,  
10 to be allocated as follows for the purposes designated:  
11 1. For salaries, support, maintenance,  
12 miscellaneous purposes, and for not more than the  
13 following full-time equivalent positions:  
14 ..... \$ ~~12,931,091~~  
15 ..... 25,882,243  
16 ..... FTEs 219.00  
17 ..... 221.00  
18 2. For payments on behalf of eligible adults and  
19 juveniles from the indigent defense fund, in accordance  
20 with section 815.11:  
21 ..... \$ ~~14,950,965~~  
22 ..... 29,901,929  
23 Sec. 10. 2013 Iowa Acts, chapter 139, section 30,  
24 is amended to read as follows:  
25 SEC. 30. BOARD OF PAROLE. There is appropriated  
26 from the general fund of the state to the board of  
27 parole for the fiscal year beginning July 1, 2014, and  
28 ending June 30, 2015, the following amount, or so much  
29 thereof as is necessary, to be used for the purposes  
30 designated:  
31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:  
34 ..... \$ ~~601,918~~  
35 ..... 1,204,583  
36 ..... FTEs 11.00  
37 Sec. 11. 2013 Iowa Acts, chapter 139, section 31,  
38 is amended to read as follows:  
39 SEC. 31. DEPARTMENT OF PUBLIC DEFENSE — DEPARTMENT  
40 OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT. There  
41 is appropriated from the general fund of the state  
42 to the department of public defense or the department  
43 of homeland security and emergency management, as  
44 applicable, for the fiscal year beginning July 1, 2014,  
45 and ending June 30, 2015, the following amounts, or  
46 so much thereof as is necessary, to be used for the  
47 purposes designated:  
48 1. MILITARY DIVISION  
49 For salaries, support, maintenance, miscellaneous  
50 purposes, and for not more than the following full-time

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1 equivalent positions:  
2 ..... \$ ~~3,263,521~~  
3 ~~6,554,478~~  
4 ..... FTEs ~~293.61~~  
5 ~~283.50~~  
6 The military division may temporarily exceed  
7 and draw more than the amount appropriated in this  
8 subsection and incur a negative cash balance as long  
9 as there are receivables of federal funds equal to  
10 or greater than the negative balance and the amount  
11 appropriated in this subsection is not exceeded at the  
12 close of the fiscal year.  
13 2. ~~THE DEPARTMENT OF HOMELAND SECURITY AND~~  
14 ~~EMERGENCY MANAGEMENT DIVISION OR SUCCESSOR AGENCY~~  
15 For salaries, support, maintenance, miscellaneous  
16 purposes, and for not more than the following full-time  
17 equivalent positions:  
18 ..... \$ ~~1,087,139~~  
19 ~~2,229,623~~  
20 ..... FTEs ~~37.40~~  
21 ~~36.13~~  
22 a. The department of homeland security and  
23 emergency management ~~division or successor agency~~  
24 may temporarily exceed and draw more than the amount  
25 appropriated in this subsection and incur a negative  
26 cash balance as long as there are receivables of  
27 federal funds equal to or greater than the negative  
28 balance and the amount appropriated in this subsection  
29 is not exceeded at the close of the fiscal year.  
30 b. It is the intent of the general assembly that  
31 the department of homeland security and emergency  
32 management ~~division or successor agency~~ work in  
33 conjunction with the department of public safety, to  
34 the extent possible, when gathering and analyzing  
35 information related to potential domestic or foreign  
36 security threats, and when monitoring such threats.  
37 Sec. 12. 2013 Iowa Acts, chapter 139, section 32,  
38 is amended to read as follows:  
39 SEC. 32. DEPARTMENT OF PUBLIC SAFETY. There is  
40 appropriated from the general fund of the state to  
41 the department of public safety for the fiscal year  
42 beginning July 1, 2014, and ending June 30, 2015, the  
43 following amounts, or so much thereof as is necessary,  
44 to be used for the purposes designated:  
45 1. For the department's administrative functions,  
46 including the criminal justice information system, and  
47 for not more than the following full-time equivalent  
48 positions:  
49 ..... \$ ~~2,033,527~~  
50 ~~4,183,349~~

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1 ..... FTEs 39.00  
2 2. For the division of criminal investigation,  
3 including the state's contribution to the peace  
4 officers' retirement, accident, and disability system  
5 provided in chapter 97A in the amount of the state's  
6 normal contribution rate, as defined in section  
7 97A.8, multiplied by the salaries for which the  
8 moneys are appropriated, to meet federal fund matching  
9 requirements, and for not more than the following  
10 full-time equivalent positions:  
11 ..... \$ ~~6,466,707~~  
12 ..... ~~13,625,414~~  
13 ..... FTEs ~~149.60~~  
14 ..... ~~150.60~~  
15 3. For the criminalistics laboratory fund created  
16 in section 691.9:  
17 ..... \$ ~~151,173~~  
18 ..... ~~302,345~~  
19 4. a. For the division of narcotics enforcement,  
20 including the state's contribution to the peace  
21 officers' retirement, accident, and disability system  
22 provided in chapter 97A in the amount of the state's  
23 normal contribution rate, as defined in section  
24 97A.8, multiplied by the salaries for which the  
25 moneys are appropriated, to meet federal fund matching  
26 requirements, and for not more than the following  
27 full-time equivalent positions:  
28 ..... \$ ~~3,377,928~~  
29 ..... ~~6,919,855~~  
30 ..... FTEs ~~66.00~~  
31 ..... ~~65.50~~  
32 b. For the division of narcotics enforcement for  
33 undercover purchases:  
34 ..... \$ ~~54,521~~  
35 ..... ~~109,042~~  
36 5. For the division of state fire marshal, for fire  
37 protection services as provided through the state fire  
38 service and emergency response council as created in  
39 the department, and for the state's contribution to the  
40 peace officers' retirement, accident, and disability  
41 system provided in chapter 97A in the amount of the  
42 state's normal contribution rate, as defined in section  
43 97A.8, multiplied by the salaries for which the moneys  
44 are appropriated, and for not more than the following  
45 full-time equivalent positions:  
46 ..... \$ ~~2,235,278~~  
47 ..... ~~4,590,556~~  
48 ..... FTEs ~~53.00~~  
49 6. For the division of state patrol, for salaries,  
50 support, maintenance, workers' compensation costs,

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1 and miscellaneous purposes, including the state's  
2 contribution to the peace officers' retirement,  
3 accident, and disability system provided in chapter 97A  
4 in the amount of the state's normal contribution rate,  
5 as defined in section 97A.8, multiplied by the salaries  
6 for which the moneys are appropriated, and for not more  
7 than the following full-time equivalent positions:  
8 ..... \$ 27,768,104  
9 ..... 58,736,597  
10 ..... FTEs 494.47  
11 ..... 514.00  
12 It is the intent of the general assembly that the  
13 department of public safety add additional members to  
14 the state patrol to the current number of members of  
15 the state patrol as of July 1, 2014.  
16 It is the intent of the general assembly that  
17 members of the state patrol be assigned to patrol  
18 the highways and roads in lieu of assignments for  
19 inspecting school buses for the school districts.  
20 ~~7. For operations costs, and miscellaneous~~  
21 ~~purposes:~~  
22 ..... \$ ~~850,000~~  
23 8. For deposit in the sick leave benefits fund  
24 established under section 80.42 for all departmental  
25 employees eligible to receive benefits for accrued sick  
26 leave under the collective bargaining agreement:  
27 ..... \$ 139,759  
28 ..... 279,517  
29 9. For costs associated with the training and  
30 equipment needs of volunteer fire fighters:  
31 ..... \$ 362,760  
32 ..... 825,520  
33 a. Notwithstanding section 8.33, moneys  
34 appropriated in this subsection that remain  
35 unencumbered or unobligated at the close of the fiscal  
36 year shall not revert but shall remain available for  
37 expenditure only for the purpose designated in this  
38 subsection until the close of the succeeding fiscal  
39 year.  
40 b. Notwithstanding section 8.39, the department  
41 of public safety may reallocate moneys appropriated  
42 in this section as necessary to best fulfill the  
43 needs provided for in the appropriation. However, the  
44 department shall not reallocate moneys appropriated  
45 to the department in this section unless notice of  
46 the reallocation is given to the legislative services  
47 agency and the department of management prior to  
48 the effective date of the reallocation. The notice  
49 shall include information regarding the rationale for  
50 reallocating the moneys. The department shall not

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1 reallocate moneys appropriated in this section for the  
2 purpose of eliminating any program.  
3 10. For the public safety interoperable and  
4 broadband communications fund established in section  
5 80.44:  
6 ..... \$ 154,661  
7 Sec. 13. 2013 Iowa Acts, chapter 139, section 33,  
8 is amended to read as follows:  
9 SEC. 33. GAMING ENFORCEMENT.  
10 1. There is appropriated from the gaming  
11 enforcement revolving fund created in section 80.43 to  
12 the department of public safety for the fiscal year  
13 beginning July 1, 2014, and ending June 30, 2015, the  
14 following amount, or so much thereof as is necessary,  
15 to be used for the purposes designated:  
16 For any direct support costs for agents and officers  
17 of the division of criminal investigation's excursion  
18 gambling boat, gambling structure, and racetrack  
19 enclosure enforcement activities, including salaries,  
20 support, maintenance, miscellaneous purposes, and  
21 for not more than the following full-time equivalent  
22 positions:  
23 ..... \$ 5,449,004  
24 ..... 10,898,008  
25 ..... FTEs 115.00  
26 ..... 109.00  
27 2. For each additional license to conduct gambling  
28 games on an excursion gambling boat, gambling  
29 structure, or racetrack enclosure issued during  
30 the fiscal year beginning July 1, 2014, there is  
31 appropriated from the gaming enforcement fund to  
32 the department of public safety for the fiscal year  
33 beginning July 1, 2014, and ending June 30, 2015, an  
34 additional amount of not more than \$300,000 to be used  
35 for not more than 3.00 additional full-time equivalent  
36 positions.  
37 3. The department of public safety, with the  
38 approval of the department of management, may employ  
39 no more than three special agents for each additional  
40 riverboat or gambling structure regulated after July 1,  
41 2014, and three special agents for each racing facility  
42 which becomes operational during the fiscal year which  
43 begins July 1, 2014. Positions authorized in this  
44 subsection are in addition to the full-time equivalent  
45 positions otherwise authorized in this section.  
46 Sec. 14. 2013 Iowa Acts, chapter 139, section 34,  
47 is amended to read as follows:  
48 SEC. 34. CIVIL RIGHTS COMMISSION. There is  
49 appropriated from the general fund of the state to the  
50 Iowa state civil rights commission for the fiscal year

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1 beginning July 1, 2014, and ending June 30, 2015, the  
2 following amount, or so much thereof as is necessary,  
3 to be used for the purposes designated:

4 For salaries, support, maintenance, miscellaneous  
5 purposes, and for not more than the following full-time  
6 equivalent positions:

7 .....	\$	648,535
8 .....		<u>1,169,540</u>
9 .....	FTEs	28.00

10 The Iowa state civil rights commission may enter  
11 into a contract with a nonprofit organization to  
12 provide legal assistance to resolve civil rights  
13 complaints.

14 Sec. 15. 2013 Iowa Acts, chapter 139, section 35,  
15 is amended to read as follows:

16 SEC. 35. CRIMINAL AND JUVENILE JUSTICE PLANNING  
17 DIVISION. There is appropriated from the general fund  
18 of the state to the criminal and juvenile justice  
19 planning division of the department of human rights for  
20 the fiscal year beginning July 1, 2013, and ending June  
21 30, 2014, the following amounts, or so much thereof as  
22 is necessary, to be used for the purposes designated:

23 For salaries, support, maintenance, and  
24 miscellaneous purposes, and for not more than the  
25 following full-time equivalent positions:

26 .....	\$	630,053
27 .....		<u>1,260,105</u>
28 .....	FTEs	<u>10.81</u>
29 .....		10.38

30 The criminal and juvenile justice planning advisory  
31 council and the juvenile justice advisory council  
32 shall coordinate their efforts in carrying out their  
33 respective duties relative to juvenile justice.

34 Sec. 16. 2013 Iowa Acts, chapter 139, section 36,  
35 is amended to read as follows:

36 SEC. 36. DEPARTMENT OF HOMELAND SECURITY AND  
37 EMERGENCY MANAGEMENT ~~DIVISION~~. There is appropriated  
38 from the ~~wireless~~ E911 emergency communications fund  
39 created in section 34A.7A to the department of homeland  
40 security and emergency management ~~division or successor~~  
41 ~~agency~~ for the fiscal year beginning July 1, 2014, and  
42 ending June 30, 2015, an amount not exceeding \$250,000  
43 to be used for implementation, support, and maintenance  
44 of the functions of the administrator and program  
45 manager under chapter 34A and to employ the auditor of  
46 the state to perform an annual audit of the ~~wireless~~  
47 E911 emergency communications fund.

48 DIVISION III

49 MISCELLANEOUS PROVISIONS

50 Sec. 17. Section 80B.5, Code 2014, is amended to

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1 read as follows:

2 **80B.5 Administration — director — deputy director.**

3 1. The administration of this chapter shall be  
4 vested in the office of the governor. A Except for the  
5 director and deputy director of the academy and such,  
6 the staff as may be necessary for it to function shall  
7 be employed pursuant to the Iowa merit system.

8 2. The director of the academy shall be appointed  
9 by the governor, subject to confirmation by the senate,  
10 to serve at the pleasure of the governor, and the  
11 director may employ a deputy director.

12 Sec. 18. Section 97B.49B, subsection 1, paragraph  
13 e, Code 2014, is amended by adding the following new  
14 subparagraph:

15 NEW SUBPARAGRAPH. (13) An employee of a judicial  
16 district department of correctional services whose  
17 condition of employment requires the employee to be  
18 certified by the Iowa law enforcement academy and who  
19 is required to perform the duties of a parole officer  
20 as provided in section 906.2.

21 Sec. 19. CONSUMER EDUCATION AND LITIGATION  
22 FUND. Notwithstanding section 714.16C, for each fiscal  
23 year of the period beginning July 1, 2014, and ending  
24 June 30, 2016, the annual appropriations in section  
25 714.16C, are increased from \$1,125,000 to \$1,875,000,  
26 and \$75,000 to \$125,000 respectively.

27 Sec. 20. PERSONNEL SETTLEMENT AGREEMENT  
28 PAYMENTS. As a condition made to any appropriation  
29 provided in this Act, moneys appropriated and any other  
30 moneys available for use by the entity to which the  
31 appropriation is made under this Act shall not be used  
32 for the payment of a personnel settlement agreement  
33 between that entity and a state employee that contains  
34 a confidentiality provision intended to prevent  
35 public disclosure of the agreement or any terms of the  
36 agreement.

37 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following  
38 provision of this division of this Act, being deemed of  
39 immediate importance, takes effect upon enactment:

40 1. The section amending section 80B.5.

41 DIVISION IV  
42 PUBLIC SAFETY PEACE OFFICERS' RETIREMENT, ACCIDENT, AND  
43 DISABILITY SYSTEM

44 Sec. 21. Section 97A.1, Code 2014, is amended by  
45 adding the following new subsections:

46 NEW SUBSECTION. 5A. "Cancer" means prostate  
47 cancer, primary brain cancer, breast cancer, ovarian  
48 cancer, cervical cancer, uterine cancer, malignant  
49 melanoma, leukemia, non-Hodgkin's lymphoma, bladder  
50 cancer, colorectal cancer, multiple myeloma, testicular

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1 cancer, and kidney cancer.

2 NEW SUBSECTION. 9A. "Infectious disease" means HIV  
3 or AIDS as defined in section 141A.1, all strains of  
4 hepatitis, meningococcal meningitis, and mycobacterium  
5 tuberculosis.

6 Sec. 22. Section 97A.5, subsection 11, Code 2014,  
7 is amended to read as follows:

8 11. *Actuarial investigation.*

9 a. At least once in each two-year period, the  
10 actuary hired by the board of trustees shall make an  
11 actuarial investigation in the mortality, service,  
12 and compensation experience of the members and  
13 beneficiaries of the system, and the interest and  
14 other earnings on the moneys and other assets of the  
15 system, and shall make a valuation of the assets and  
16 liabilities of the retirement fund of the system, and  
17 taking into account the results of the investigation  
18 and valuation, the board of trustees shall adopt  
19 for the system, upon recommendation of the system's  
20 actuary, such actuarial methods and assumptions,  
21 interest rate, and mortality and other tables as shall  
22 be deemed necessary to conduct the actuarial valuation  
23 of the system.

24 b. During calendar year 2019, and every five  
25 years thereafter, the system shall cause an actuarial  
26 investigation to be made related to the implementation,  
27 utilization, and actuarial costs associated with  
28 providing that cancer and infectious disease are  
29 presumed to be a disease contracted while a member  
30 of the system is on active duty as provided in  
31 section 97A.6, subsection 5. On the basis of the  
32 investigation, the board of trustees shall adopt and  
33 certify rates of contributions payable by members  
34 in accordance with section 97A.8. The system shall  
35 submit a written report to the general assembly  
36 following each actuarial investigation, including the  
37 certified rates of contributions payable by members  
38 for costs associated with the benefit as described in  
39 this paragraph, the data collected, and the system's  
40 findings.

41 Sec. 23. Section 97A.6, subsection 5, paragraph b,  
42 Code 2014, is amended to read as follows:

43 b. (1) Disease under this section subsection shall  
44 mean heart disease or any disease of the lungs or  
45 respiratory tract and shall be presumed to have been  
46 contracted while on active duty as a result of strain,  
47 exposure, or the inhalation of noxious fumes, poison,  
48 or gases.

49 (2) Disease under this subsection shall also mean  
50 cancer or infectious disease and shall be presumed to

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1 have been contracted while on active duty as a result  
2 of that duty.

3 (3) However, if a person's membership in the system  
4 first commenced on or after July 1, 1992, and the heart  
5 disease or disease of the lungs or respiratory tract,  
6 cancer, or infectious disease would not exist, but for  
7 a medical condition that was known to exist on the date  
8 that membership commenced, the presumption established  
9 in this paragraph "b" shall not apply.

10 Sec. 24. Section 97A.8, subsection 1, paragraph  
11 e, subparagraph (8), subparagraph division (a),  
12 subparagraph subdivision (v), Code 2014, is amended to  
13 read as follows:

14 (v) For the fiscal year period beginning July 1,  
15 2014, and ~~each fiscal year thereafter ending June 30,~~  
16 ~~2020, eleven and thirty-five hundredths~~ four-tenths  
17 percent.

18 Sec. 25. Section 97A.8, subsection 1, paragraph e,  
19 subparagraph (8), subparagraph division (a), Code 2014,  
20 is amended by adding the following new subparagraph  
21 subdivision:

22 NEW SUBPARAGRAPH SUBDIVISION. (vi) For the  
23 fiscal year beginning July 1, 2020, and each fiscal  
24 year thereafter, eleven and thirty-five hundredths  
25 percent, plus an additional percentage, as determined  
26 by the board of trustees pursuant to the actuarial  
27 investigation required in section 97A.5, subsection  
28 11, paragraph "b", necessary to finance the costs  
29 associated with providing that cancer and infectious  
30 disease are presumed to be a disease contracted while  
31 a member of the system is on active duty as provided in  
32 section 97A.6, subsection 5.>



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Senate File 2347

H-8278

1 Amend the amendment, H-8273, to Senate File 2347,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, after line 22 by inserting:  
5 <Sec. \_\_\_\_\_. BUDGET GUARANTEE SUPPLEMENT — FY  
6 2014-2015 APPROPRIATION.  
7 1. There is appropriated from the general fund of  
8 the state to the department of education for the fiscal  
9 year beginning July 1, 2014, and ending June 30, 2015,  
10 fifteen million dollars to make the payments to school  
11 districts required under subsection 2.  
12 2. a. Moneys appropriated to the department of  
13 education under this section shall be used to provide  
14 a budget guarantee supplement to each school district  
15 that is eligible for a budget adjustment under section  
16 257.14 for the budget year beginning July 1, 2014, and  
17 ending June 30, 2015.  
18 b. For the budget year beginning July 1, 2014, and  
19 ending June 30, 2015, the department of education shall  
20 calculate all of the following:  
21 (1) For each school district eligible under  
22 paragraph "a", the difference between the regular  
23 program district cost for the budget year and one  
24 hundred one percent of the regular program district  
25 cost for the base year.  
26 (2) The sum of all amounts calculated under  
27 subparagraph (1) for eligible school districts.  
28 c. Each eligible school district's budget guarantee  
29 supplement amount shall be equal to the amount  
30 calculated for the school district under paragraph "b",  
31 subparagraph (1), divided by the amount calculated  
32 under paragraph "b", subparagraph (2), and then  
33 multiplied by fifteen million dollars.  
34 3. Moneys received by a school district under this  
35 section shall be miscellaneous income for purposes of  
36 chapter 257 and shall not be included in district cost.  
37 4. The payment of budget guarantee supplement  
38 amounts under this section shall be paid by the  
39 department of education at the same time and in the  
40 same manner as foundation aid is paid under section  
41 257.16 for the fiscal year beginning July 1, 2014,  
42 and ending June 30, 2015, and may be included in the  
43 monthly payment of state aid under section 257.16,  
44 subsection 2.>  
45 2. Page 1, line 24, after <this> by inserting  
46 <division of this>  
47 3. Page 1, line 26, after <this> by inserting  
48 <division of this>  
49 4. Page 1, after line 27 by inserting:  
50 <2. The section of this division of this Act

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1 providing for a budget guarantee supplement for the  
2 fiscal year beginning July 1, 2014, and ending June 30,  
3 2015.>

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RUFF of Clayton

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MUHLBAUER of Crawford

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THOMAS of Clayton



Iowa General Assembly  
Daily Bills, Amendments and Study Bills  
April 15, 2014

Senate File 2347

H-8279

1 Amend the amendment, H-8248, to Senate File 2347,  
2 as amended, passed, and reprinted by the Senate, as  
3 follows:  
4 1. Page 1, after line 48 by inserting:  
5 <\_\_\_\_. Page 37, after line 13 by inserting:  
6 <DIVISION \_\_\_\_  
7 SAFE SCHOOLS PROVISIONS  
8 Sec. \_\_\_\_\_. Section 256.2, Code 2014, is amended by  
9 adding the following new subsection:  
10 NEW SUBSECTION. 2A. "Harassment" and "bullying"  
11 mean the same as defined in section 280.28.  
12 Sec. \_\_\_\_\_. NEW SECTION. 256.100 Office of support  
13 and analysis for safe schools.  
14 1. Subject to an appropriation by the general  
15 assembly for purposes of this section, the office of  
16 support and analysis for safe schools is established  
17 in the department to coordinate and implement the  
18 state's efforts to prevent and respond to harassment  
19 and bullying.  
20 2. The office shall coordinate efforts between  
21 state agencies and promote research-based best  
22 practices for programming and training to improve  
23 school learning environments and school safety. The  
24 office shall coordinate with appropriate stakeholders  
25 in carrying out its duties.  
26 3. The office shall:  
27 a. Assist schools in the implementation of section  
28 280.28, using research- and outcome-based best  
29 practices.  
30 b. Provide or recommend technical assistance and  
31 training to school employees responsible for conducting  
32 investigations of complaints of incidents of harassment  
33 or bullying to ensure compliance with section 280.28.  
34 c. Analyze harassment and bullying incidence data  
35 reported by school districts and accredited nonpublic  
36 schools pursuant to section 280.28, subsection 7, and  
37 response data from the Iowa youth survey. The office  
38 may use its analysis to provide technical assistance  
39 to school districts or schools to improve school  
40 learning environments and school safety and to achieve  
41 compliance with section 280.28.  
42 d. Coordinate with the department of public health  
43 and other public and private agencies and organizations  
44 in the administration of the your life Iowa initiative.  
45 Contacts with the initiative relating to possible  
46 harassment or bullying shall be shared with the office,  
47 which shall assist the initiative in responding to such  
48 contacts. The office shall maintain compliance with  
49 applicable federal and state privacy laws to ensure  
50 the confidentiality of information provided to the

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1 initiative.

2 e. Collaborate with the department of public health  
3 and other state agencies in the administration of the  
4 Iowa youth survey to students in grades six, eight, and  
5 eleven in Iowa's public and nonpublic schools. Survey  
6 data shall be evaluated and reported, with aggregate  
7 data available online at the Iowa youth survey internet  
8 site.

9 Sec. \_\_\_\_\_. Section 280.28, subsection 2, paragraph  
10 a, Code 2014, is amended to read as follows:

11 a. "Electronic" means any communication involving  
12 the transmission of information by wire, radio,  
13 optical cable, electromagnetic, or other similar  
14 means. "Electronic" includes but is not limited to  
15 communication via electronic mail, internet-based  
16 communications including social networking sites  
17 and applications, pager service, cell phones, and  
18 electronic text messaging, or any other electronic  
19 communication site, device, or means.

20 Sec. \_\_\_\_\_. Section 280.28, subsection 3, Code 2014,  
21 is amended by adding the following new paragraph:

22 NEW PARAGRAPH. h. A procedure for documenting the  
23 actions taken by the school to investigate and respond  
24 to harassment or bullying.

25 Sec. \_\_\_\_\_. Section 280.28, subsection 7, Code 2014,  
26 is amended to read as follows:

27 7. *Integration of policy and reporting.* The board  
28 of directors of a school district and the authorities  
29 in charge of each nonpublic school shall integrate  
30 its antiharassment and antibullying policy into  
31 the comprehensive school improvement plan required  
32 under section 256.7, subsection 21, and shall report  
33 ~~data collected under subsection 6, as specified by~~  
34 ~~the following to the department, to and the local~~  
35 ~~community.~~

36 a. Data collected under subsection 6, as specified  
37 by the department.

38 b. The process used for filing complaints,  
39 including the location of online or other complaint  
40 forms.

41 c. The number of school employees and volunteers  
42 who have completed antiharassment and antibullying  
43 training.

44 Sec. \_\_\_\_\_. Section 280.28, Code 2014, is amended by  
45 adding the following new subsections:

46 NEW SUBSECTION. 9. *Parental notification.*

47 a. Each school district and accredited nonpublic  
48 school shall establish notification procedures for  
49 incidents of harassment or bullying in accordance  
50 with this subsection. The procedures shall include

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1 notification of the custodial parent or guardian of any  
2 student directly involved in any incident of harassment  
3 or bullying, upon investigation and determination that  
4 harassment or bullying has occurred, consistent with a  
5 notification plan made in consultation with the student  
6 and school guidance staff. The notification shall  
7 include information on the action that school officials  
8 have taken regarding the incident and the actions  
9 school officials will take to prevent further acts  
10 of harassment or bullying. If such notification is  
11 delayed, the school district or school shall document  
12 the reasons for the delay. This paragraph does not  
13 prohibit a school official from contacting a parent  
14 or guardian about a report of harassment or bullying  
15 prior to a determination that harassment or bullying  
16 has occurred.

17 *b.* The requirements of this subsection shall  
18 not apply if a school official reasonably believes  
19 notification would subject a student to abuse, neglect,  
20 or other physical or mental harm.

21 *c.* Notification pursuant to this subsection  
22 shall comply with state and federal privacy laws,  
23 regulations, and rules.

24 NEW SUBSECTION. 10. *Authority off school*  
25 *grounds.* A school official may investigate and respond  
26 appropriately to an alleged incident of harassment  
27 or bullying that occurs outside of school, off of  
28 school property, or away from a school function or  
29 school-sponsored activity. If an alleged incident  
30 of harassment or bullying has an effect on school  
31 grounds that creates an objectively hostile school  
32 environment that meets one or more of the conditions  
33 set out under subsection 2, paragraph "b", a school  
34 official shall investigate and respond appropriately  
35 to the alleged incident. The school official's  
36 investigation and response to an alleged incident of  
37 harassment or bullying that occurs outside of school,  
38 off of school property, or away from a school function  
39 or school-sponsored activity may include referring the  
40 matter to appropriate community-based agencies.

41 NEW SUBSECTION. 11. *Rulemaking authority.* The  
42 department of education may adopt rules necessary to  
43 administer this section in a uniform way across the  
44 state.

45 Sec. \_\_\_\_. Section 282.18, subsection 11, Code 2014,  
46 is amended to read as follows:

47 11. A pupil who participates in open enrollment  
48 for purposes of attending a grade in grades nine  
49 through twelve in a school district other than the  
50 district of residence is ineligible to participate

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1 in varsity interscholastic athletic contests and  
2 athletic competitions during the pupil's first ninety  
3 school days of enrollment in the district except that  
4 the pupil may participate immediately in a varsity  
5 interscholastic sport if the pupil is entering grade  
6 nine for the first time and did not participate in  
7 an interscholastic athletic competition for another  
8 school or school district during the summer immediately  
9 following eighth grade, if the district of residence  
10 and the other school district jointly participate  
11 in the sport, if the sport in which the pupil wishes  
12 to participate is not offered in the district of  
13 residence, if the pupil chooses to use open enrollment  
14 to attend school in another school district because  
15 the district in which the student previously attended  
16 school was dissolved and merged with one or more  
17 contiguous school districts under section 256.11,  
18 subsection 12, if the pupil participates in open  
19 enrollment because the pupil's district of residence  
20 has entered into a whole grade sharing agreement  
21 with another district for the pupil's grade, ~~or~~ if  
22 the parent or guardian of the pupil participating  
23 in open enrollment is an active member of the armed  
24 forces and resides in permanent housing on government  
25 property provided by a branch of the armed services,  
26 or if the district of residence determines that the  
27 pupil was previously subject to a founded incident of  
28 harassment or bullying as defined in section 280.28  
29 while attending school in the district of residence.  
30 A pupil who has paid tuition and attended school, or  
31 has attended school pursuant to a mutual agreement  
32 between the two districts, in a district other than  
33 the pupil's district of residence for at least one  
34 school year is also eligible to participate immediately  
35 in interscholastic athletic contests and athletic  
36 competitions under this section, but only as a member  
37 of a team from the district that pupil had attended.  
38 For purposes of this subsection, "*school days of*  
39 *enrollment*" does not include enrollment in summer  
40 school. For purposes of this subsection, "*varsity*"  
41 means the same as defined in section 256.46.  
42 Sec. \_\_\_\_\_. EMERGENCY RULEMAKING. The department  
43 of education may adopt emergency rules under section  
44 17A.4, subsection 3, and section 17A.5, subsection 2,  
45 paragraph "b", to implement section 256.100, as enacted  
46 in this division of this Act, and the rules shall  
47 be effective immediately upon filing unless a later  
48 date is specified in the rules. Any rules adopted in  
49 accordance with the provisions of this section shall  
50 also be published as a notice of intended action as

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1 provided in section 17A.4.  
2 Sec. \_\_\_\_\_. EFFECTIVE UPON ENACTMENT. The following  
3 provision or provisions of this division of this Act,  
4 being deemed of immediate importance, take effect upon  
5 enactment:  
6 1. The section of this division of this Act  
7 enacting section 256.100.  
8 \_\_\_\_\_. Title page, line 5, by striking <atters>  
9 and inserting <atters, and including effective date  
10 provisions>>

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RUFF of Clayton



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Senate File 2347

H-8280

1 Amend Senate File 2347, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 2, by striking line 30 and inserting  
4 <2,330,488>  
5 2. Page 4, by striking line 8 and inserting  
6 <50,349,986>  
7 3. Page 4, by striking line 13 and inserting  
8 <1,976,000>  
9 4. Page 34, after line 28 by inserting:  
10 <DIVISION  
11 SUPPLEMENTAL AND OTHER APPROPRIATIONS — TUITION  
12 REDUCTION  
13 DEPARTMENT OF EDUCATION  
14 Sec. \_\_\_\_\_. DEPARTMENT OF EDUCATION. There is  
15 appropriated from the general fund of the state to the  
16 department of education for the fiscal year beginning  
17 July 1, 2014, and ending June 30, 2015, the following  
18 amount, or so much thereof as is necessary, to be used  
19 for the purposes designated:  
20 COMMUNITY COLLEGES. For reducing the resident  
21 tuition rates at the community colleges for the  
22 2014-2015 fiscal year:  
23 ..... \$ 8,050,986  
24 The moneys appropriated in this subsection shall  
25 be allocated pursuant to the formula established in  
26 section 260C.18C. Each community college shall use  
27 the amount received in accordance with this section  
28 to reduce the resident tuition rate for fiscal year  
29 2014-2015.  
30 STATE BOARD OF REGENTS  
31 Sec. \_\_\_\_\_. There is appropriated from the general  
32 fund of the state to the state board of regents for the  
33 fiscal year beginning July 1, 2014, and ending June 30,  
34 2015, the following amounts, or so much thereof as is  
35 necessary, to supplement appropriations made for the  
36 following designated purposes:  
37 1. STATE UNIVERSITY OF IOWA — GENERAL UNIVERSITY,  
38 INCLUDING LAKESIDE LABORATORY  
39 For salaries, support, maintenance, equipment,  
40 financial aid, and miscellaneous purposes, in addition  
41 to any other moneys appropriated to the state board of  
42 regents for these purposes:  
43 ..... \$ 13,636,920  
44 From the moneys appropriated in this subsection,  
45 \$9,236,920 shall be used to reduce the university's  
46 resident undergraduate base tuition rates approved by  
47 the state board for fiscal year 2014-2015 at the state  
48 board's December 4, 2013, meeting.  
49 2. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY  
50 For reducing the university's resident undergraduate

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1 base tuition rate approved by the state board for  
2 fiscal year 2014-2015 at the state board's December 4,  
3 2013, meeting:  
4 ..... \$ 7,237,832  
5 3. UNIVERSITY OF NORTHERN IOWA  
6 For reducing the university's resident undergraduate  
7 base tuition rate approved by the state board for  
8 fiscal year 2014-2015 at the state board's December 4,  
9 2013, meeting:  
10 ..... \$ 3,638,069>  
11 5. By renumbering as necessary.

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WINCKLER of Scott

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WESSEL-KROESCHELL of Story

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House File 2470 - Introduced

HOUSE FILE 2470  
BY ISENHART

A BILL FOR

1 An Act relating to state financial matters, including state  
2 sales and use taxes, the natural resources and outdoor  
3 recreation trust fund, and the state individual income tax,  
4 and including effective date and applicability provisions.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. 2470

1 DIVISION I  
2 SALES AND USE TAXES AND THE NATURAL RESOURCES AND OUTDOOR  
3 RECREATION TRUST FUND  
4 Section 1. Section 423.2, subsection 1, unnumbered  
5 paragraph 1, Code 2014, is amended to read as follows:  
6 There is imposed a tax of six and three-eighths percent upon  
7 the sales price of all sales of tangible personal property,  
8 consisting of goods, wares, or merchandise, sold at retail in  
9 the state to consumers or users except as otherwise provided  
10 in this subchapter.  
11 Sec. 2. Section 423.2, subsections 2 and 3, Code 2014, are  
12 amended to read as follows:  
13 2. A tax of six and three-eighths percent is imposed upon  
14 the sales price of the sale or furnishing of gas, electricity,  
15 water, heat, pay television service, and communication service,  
16 including the sales price from such sales by any municipal  
17 corporation or joint water utility furnishing gas, electricity,  
18 water, heat, pay television service, and communication service  
19 to the public in its proprietary capacity, except as otherwise  
20 provided in this subchapter, when sold at retail in the state  
21 to consumers or users.  
22 3. A tax of six and three-eighths percent is imposed upon  
23 the sales price of all sales of tickets or admissions to places  
24 of amusement, fairs, and athletic events except those of  
25 elementary and secondary educational institutions. A tax of  
26 six and three-eighths percent is imposed on the sales price of  
27 an entry fee or like charge imposed solely for the privilege of  
28 participating in an activity at a place of amusement, fair, or  
29 athletic event unless the sales price of tickets or admissions  
30 charges for observing the same activity are taxable under this  
31 subchapter. A tax of six and three-eighths percent is imposed  
32 upon that part of private club membership fees or charges paid  
33 for the privilege of participating in any athletic sports  
34 provided club members.  
35 Sec. 3. Section 423.2, subsection 4, paragraph a, Code 2014,

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1 is amended to read as follows:

2     a. A tax of six and three-eighths percent is imposed upon  
3 the sales price derived from the operation of all forms of  
4 amusement devices and games of skill, games of chance, raffles,  
5 and bingo games as defined in chapter 99B, and card game  
6 tournaments conducted under section 99B.7B, that are operated  
7 or conducted within the state, the tax to be collected from  
8 the operator in the same manner as for the collection of taxes  
9 upon the sales price of tickets or admission as provided in  
10 this section. Nothing in this subsection shall legalize any  
11 games of skill or chance or slot-operated devices which are now  
12 prohibited by law.

13     Sec. 4. Section 423.2, subsection 5, Code 2014, is amended  
14 to read as follows:

15     5. There is imposed a tax of six and three-eighths percent  
16 upon the sales price from the furnishing of services as defined  
17 in section 423.1.

18     Sec. 5. Section 423.2, subsection 7, paragraph a,  
19 unnumbered paragraph 1, Code 2014, is amended to read as  
20 follows:

21     A tax of six and three-eighths percent is imposed upon the  
22 sales price from the sales, furnishing, or service of solid  
23 waste collection and disposal service.

24     Sec. 6. Section 423.2, subsection 8, paragraph a, Code 2014,  
25 is amended to read as follows:

26     a. A tax of six and three-eighths percent is imposed on  
27 the sales price from sales of bundled transactions. For the  
28 purposes of this subsection, a "*bundled transaction*" is the  
29 retail sale of two or more distinct and identifiable products,  
30 except real property and services to real property, which  
31 are sold for one nonitemized price. A "*bundled transaction*"  
32 does not include the sale of any products in which the sales  
33 price varies, or is negotiable, based on the selection by the  
34 purchaser of the products included in the transaction.

35     Sec. 7. Section 423.2, subsection 9, Code 2014, is amended





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1 to read as follows:

2 9. A tax of six and three-eighths percent is imposed upon  
3 the sales price from any mobile telecommunications service,  
4 including all paging services, that this state is allowed  
5 to tax pursuant to the provisions of the federal Mobile  
6 Telecommunications Sourcing Act, Pub. L. No. 106-252, 4 U.S.C.  
7 § 116 et seq. For purposes of this subsection, taxes on mobile  
8 telecommunications service, as defined under the federal Mobile  
9 Telecommunications Sourcing Act that are deemed to be provided  
10 by the customer's home service provider, shall be paid to  
11 the taxing jurisdiction whose territorial limits encompass  
12 the customer's place of primary use, regardless of where the  
13 mobile telecommunications service originates, terminates,  
14 or passes through and shall in all other respects be taxed  
15 in conformity with the federal Mobile Telecommunications  
16 Sourcing Act. All other provisions of the federal Mobile  
17 Telecommunications Sourcing Act are adopted by the state of  
18 Iowa and incorporated into this subsection by reference. With  
19 respect to mobile telecommunications service under the federal  
20 Mobile Telecommunications Sourcing Act, the director shall, if  
21 requested, enter into agreements consistent with the provisions  
22 of the federal Act.

23 Sec. 8. Section 423.2, subsection 11, paragraph b,  
24 subparagraph (2), Code 2014, is amended to read as follows:

25 (2) Transfer from the remaining revenues the amounts  
26 required under Article VII, section 10, of the Constitution  
27 of the State of Iowa to the natural resources and outdoor  
28 recreation trust fund created in section 461.31, ~~if applicable~~.

29 Sec. 9. Section 423.2, subsection 13, Code 2014, is amended  
30 to read as follows:

31 13. The sales tax rate of six and three-eighths percent is  
32 reduced to five and three-eighths percent on January 1, 2030.

33 Sec. 10. Section 423.5, subsection 1, unnumbered paragraph  
34 1, Code 2014, is amended to read as follows:

35 Except as provided in paragraph "c", an excise tax at the

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1 rate of six and three-eighths percent of the purchase price or  
2 installed purchase price is imposed on the following:

3 Sec. 11. Section 423.5, subsection 5, Code 2014, is amended  
4 to read as follows:

5 5. The use tax rate of six and three-eighths percent is  
6 reduced to five and three-eighths percent on January 1, 2030.

7 Sec. 12. Section 423.43, subsection 1, paragraph b, Code  
8 2014, is amended to read as follows:

9 *b.* Subsequent to the deposit into the general fund of the  
10 state ~~and after the transfer of such~~ pursuant to paragraph "a",  
11 the department shall do the following in the order prescribed:

12 (1) Transfer the revenues collected under chapter 423B, the  
13 department shall transfer one-sixth.

14 (2) Transfer fifteen and six thousand eight hundred  
15 sixty-three ten-thousandths percent of such remaining revenues  
16 to the secure an advanced vision for education fund created in  
17 section 423F.2. This ~~paragraph~~ subparagraph (2) is repealed  
18 December 31, 2029.

19 Sec. 13. PURPOSE. The purpose of this division of this Act  
20 is to provide for the implementation of Article VII, section  
21 10, of the Constitution of the State of Iowa by fully funding  
22 the natural resources and outdoor recreation trust fund as  
23 created in section 461.31, pursuant to Article VII, section 10,  
24 of the Constitution of the State of Iowa.

25 Sec. 14. EFFECTIVE DATE. This division of this Act takes  
26 effect on July 1, 2015.

27 DIVISION II

28 INDIVIDUAL INCOME TAXES

29 Sec. 15. Section 422.12, subsection 2, paragraph a, Code  
30 2014, is amended by striking the paragraph.

31 Sec. 16. NEW SECTION. 422.12A Personal exemption credits.

32 1. The taxes imposed under this division less the credits  
33 allowed under this division except for the credits for withheld  
34 tax and estimated tax paid in section 422.16, shall be reduced  
35 by a personal exemption credit in the following amounts:

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1     a. For an estate or trust, a single individual, or a married  
2 person filing a separate return, ninety-five dollars.  
3     b. For a head of household, or a husband and wife filing a  
4 joint return, one hundred ninety dollars.  
5     c. For each dependent, an additional seventy dollars.  
6     d. For a single individual, husband, wife, or head of  
7 household, an additional exemption of twenty dollars for each  
8 of said individuals who has attained the age of sixty-five  
9 years before the close of the tax year or on the first day  
10 following the end of the tax year.  
11    e. For a single individual, husband, wife, or head of  
12 household, an additional exemption of twenty dollars for each  
13 of said individuals who is blind at the close of the tax year.  
14 For the purposes of this subparagraph, an individual is blind  
15 only if the individual's central visual acuity does not exceed  
16 twenty-two hundredths in the better eye with correcting lenses,  
17 or if the individual's visual acuity is greater than twenty-two  
18 hundredths but is accompanied by a limitation in the fields  
19 of vision such that the widest diameter of the visual field  
20 subtends an angle no greater than twenty degrees.  
21    2. Any credit in excess of the tax liability is refundable.  
22 However, for nonresidents or part-year residents the amount of  
23 the credit in excess of the tax liability that may be refunded  
24 shall be in the ratio of their Iowa source net income to their  
25 all source net income under rules prescribed by the director.  
26    3. For purposes of this section, "dependent" has the same  
27 meaning as provided by the Internal Revenue Code.  
28    Sec. 17. EFFECTIVE DATE. This division of this Act takes  
29 effect January 1, 2015.  
30    Sec. 18. APPLICABILITY. This division of this Act applies  
31 to tax years beginning on or after January 1, 2015.

32                                   EXPLANATION

33                   The inclusion of this explanation does not constitute agreement with  
34                   the explanation's substance by the members of the general assembly.

35    DIVISION I — SALES AND USE TAXES. Division I relates to

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1 state sales and use taxes and to an amendment to the Iowa  
2 Constitution ratified on November 2, 2010, which created a  
3 natural resources and outdoor recreation trust fund (fund)  
4 and dedicated a portion of state revenues to the fund for  
5 the purposes of protecting and enhancing water quality and  
6 natural areas in the state including parks, trails, and fish  
7 and wildlife habitat, and conserving agricultural soils in  
8 the state (Article VII, section 10). The fund is codified in  
9 Code section 461.31. Pursuant to the amendment, the amount  
10 credited to the fund will be equal to the amount generated  
11 by an increase in the state sales tax rate occurring after  
12 the effective date of the constitutional amendment, but shall  
13 not exceed the amount that a state sales tax rate of 0.375  
14 percent would generate. The state sales tax rate has not  
15 been increased since the effective date of the constitutional  
16 amendment, so no amounts have been credited to the fund. The  
17 division increases from 6 percent to 6.375 percent the state  
18 sales tax rate and the state use tax rate, and provides for  
19 the transfer of sales tax revenues to the fund. The division  
20 also amends the transfer of use tax revenues to the secure  
21 an advanced vision for education fund (SAVE) in Code section  
22 423F.2 from 1/6th (approximately 16.66 percent) of the revenues  
23 to 15.6863 percent of the revenues to ensure that SAVE receives  
24 approximately the same proportion of the total use tax revenue  
25 as it did prior to the use tax rate increase provided in the  
26 division.

27 The division takes effect July 1, 2015.

28 DIVISION II — INDIVIDUAL INCOME TAXES. Division II relates  
29 to the individual income by increasing the personal exemption  
30 credit and by making the credit refundable. Under current  
31 law, the personal exemption credit, which is a composite of  
32 five separate credits, is nonrefundable and may not exceed  
33 the computed tax. The division increases from \$40 to \$95 the  
34 personal exemption credit for an estate or trust, a single  
35 individual, or a married person filing a separate return;



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1 increases from \$80 to \$190 the personal exemption credit for a  
2 head of household, or a husband and wife filing a joint return;  
3 and increases from \$40 to \$70 the additional exemption credit  
4 for each dependent of the taxpayer. The division makes these  
5 credits, as well as the existing additional exemption credits  
6 of \$20 for an individual who is at least 65 years of age and  
7 \$20 for a blind individual, refundable to the extent they  
8 exceed the tax remaining after subtracting all refundable and  
9 nonrefundable credits except the credits for withheld tax and  
10 estimated tax paid. However, for a nonresident or part-year  
11 resident, the amount of the credit in excess of the tax  
12 liability that shall be refunded is in the proportion that the  
13 taxpayer's net income allocated to Iowa bears to the taxpayer's  
14 total net income, under rules to be prescribed by the director  
15 of revenue.

16 The division takes effect January 1, 2015, and applies to tax  
17 years beginning on or after that date.



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House Resolution 126 - Introduced

HOUSE RESOLUTION NO. 126

BY HANSON, GAINES, LENSING, THEDE, GASKILL, ANDERSON,  
DAWSON, KAJTAZOVIC, T. TAYLOR, M. SMITH,  
RUNNING-MARQUARDT, WINCKLER, HUNTER, H. MILLER,  
THOMAS, ISENHART, WOOD, PRICHARD, ABDUL-SAMAD,  
JACOBY, OLDSON, KRESSIG, LYKAM, BERRY, COHOON,  
MURPHY, MUHLBAUER, KELLEY, FORBES, STECKMAN,  
STUTSMAN, WESSEL-KROESCHELL, BEARINGER, WOLFE,  
RUFF, DUNKEL, LUNDBY, KEARNS, STAED, and HEDDENS

1 A Resolution directing the standing Committee on  
2 Government Oversight to investigate certain state  
3 government matters.  
4 WHEREAS, legislative investigations are an essential  
5 function of the General Assembly's constitutional  
6 duties of lawmaking, appropriation of state moneys,  
7 and open and transparent oversight relating to public  
8 policy decisions made by the General Assembly and the  
9 implementation of the law by the executive branch; and  
10 WHEREAS, Governor Terry E. Branstad created an  
11 Iowa Juvenile Home Protection Task Force in August  
12 2013, which recommended in October 2013 that a 20-bed  
13 facility of last resort be maintained for delinquent  
14 girls and that child-in-need-of-assistance youth not be  
15 placed at the Iowa Juvenile Home, but Governor Branstad  
16 closed the Iowa Juvenile Home on January 15, 2014,  
17 two days after the convening of the 2014 Legislative  
18 Session, impounding and redirecting the use of state  
19 funds and transferring residents without allowing the  
20 General Assembly time to perform its public policy and  
21 lawmaking functions with regard to the home and its

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1 residents; and

2 WHEREAS, Teresa Wahlert, Director of Iowa Workforce  
3 Development, eliminated the Chief Administrative Law  
4 Judge's position responsible for the oversight of  
5 unemployment compensation cases in her agency, assuming  
6 the supervision herself, and allegedly directing the  
7 Administrative Law Judges to conduct themselves in a  
8 manner favorable to employers, thereby interfering with  
9 their ability to impartially judge cases as required  
10 by federal law; and

11 WHEREAS, during Governor Branstad's current  
12 administration the employment of state employees has  
13 been terminated through the use of personnel settlement  
14 agreements that contain confidentiality clauses  
15 attempting to force state employees to maintain the  
16 confidentiality of facts, circumstances, and terms  
17 related to the settlement agreements, with additional  
18 compensation offered or paid to some state employees  
19 for the inclusion of such confidentiality clauses; and

20 WHEREAS, the Department of Administrative Services,  
21 pursuant to a recent public records law request,  
22 has released a list of hundreds of workers who are  
23 disqualified from future employment because they were  
24 discharged or resigned before termination, a practice  
25 which has been concealed from the public and often from  
26 workers on the list; and

27 WHEREAS, it is the duty of the standing Committee on  
28 Government Oversight to act as the investigative arm of  
29 the House of Representatives; and

30 WHEREAS, the standing Committee on Government

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1 Oversight in the past has investigated or conducted  
2 inquiries regarding government wrongdoing involving the  
3 Central Iowa Employment and Training Consortium, the  
4 Atalissa boardinghouse workers, the Iowa Film Office,  
5 and the Iowa Association of School Boards, and such  
6 investigations and inquiries have resulted in the  
7 improvement of governmental functions; and

8 WHEREAS, the abrupt closing of the Iowa Juvenile  
9 Home, the alleged attempt to interfere with  
10 impartiality in Iowa Workforce Development cases,  
11 the unenforceable use of confidentiality clauses  
12 in personnel settlement agreements in the executive  
13 branch, and the secret disqualifying of former state  
14 employees have not been as thoroughly investigated  
15 as anticipated, and therefore these issues remain  
16 unresolved; and

17 WHEREAS, additional investigation by the elected  
18 representatives of the citizens of Iowa is necessary to  
19 assure transparency and openness in state government  
20 actions, to protect citizens and prevent future abuses  
21 of the law, and to restore the citizens' faith in state  
22 government; NOW THEREFORE,

23 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,  
24 That the standing Committee on Government Oversight is  
25 directed to thoroughly investigate the issues described  
26 in this resolution and any related issues that may  
27 arise; and

28 BE IT FURTHER RESOLVED, That the House standing  
29 Committee on Government Oversight is encouraged  
30 to consult and cooperate with the Senate standing

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1 Committee on Government Oversight regarding any or all  
2 of the issues described in this resolution or on other  
3 related issues; and

4 BE IT FURTHER RESOLVED, That the standing  
5 Committee on Government Oversight, in conducting such  
6 investigation, pursuant to Iowa Code sections 2.15  
7 and 2.23, is authorized to call witnesses, administer  
8 oaths, issue subpoenas, and cite for contempt, and  
9 to meet at such times and at such places as the  
10 Chairperson of the Committee deems necessary; and

11 BE IT FURTHER RESOLVED, That the standing Committee  
12 on Government Oversight is directed to receive and  
13 review any relevant public records information  
14 available through a request for examination or copying  
15 of public records pursuant to Iowa Code chapter 22; and

16 BE IT FURTHER RESOLVED, That the standing Committee  
17 on Government Oversight is authorized to retain, at  
18 a reasonable rate of compensation, independent legal  
19 counsel, with expertise in investigatory work, and  
20 special investigators to coordinate, direct, and  
21 conduct such investigation, as necessary, to reimburse  
22 such persons for reasonable expenses related to such  
23 investigation, and to make recommendations to the  
24 committee regarding legislative and prosecutorial  
25 actions.

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House Study Bill 689 - Introduced

HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
WAYS AND MEANS BILL BY  
CHAIRPERSON SANDS)

A BILL FOR

1 An Act extending the duration of county mental health and  
2 disabilities services fund per capita levy provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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H.F. \_\_\_\_\_

1 Section 1. Section 331.424A, subsection 7, unnumbered  
2 paragraph 1, Code 2014, is amended to read as follows:  
3 Notwithstanding subsection 5, for the fiscal years beginning  
4 July 1, 2013, ~~and July 1, 2014,~~ and July 1, 2015, county  
5 revenues from taxes levied by the county and credited to  
6 the county services fund shall not exceed the lower of the  
7 following amounts:

8 Sec. 2. Section 426B.3, subsection 1, Code 2014, is amended  
9 to read as follows:

10 1. For the fiscal years beginning July 1, 2013, ~~and July 1,~~  
11 ~~2014,~~ and July 1, 2015, the state and county funding for the  
12 mental health and disability services administered or paid for  
13 by counties shall be provided based on a statewide per capita  
14 expenditure target amount computed in accordance with this  
15 section and section 331.424A.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill extends the duration of county mental health and  
20 disabilities services fund per capita levy provisions.

21 Code section 331.424A, relating to the county mental health  
22 and disability services funds and levies, is amended. The  
23 requirement for counties to levy using a \$47.28 base per capita  
24 amount or the county's base year expenditures, whichever dollar  
25 amount is less, applies only for FY 2013-2014 and FY 2014-2015.  
26 The bill extends this requirement through FY 2015-2016.

27 Code section 426B.3, relating to per capita funding for  
28 county services funds, is amended. The bill extends the  
29 \$47.28 per capita levy and statewide expenditure target amount  
30 provisions to continue through FY 2015-2016.

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House File 2458

S-5152

1 Amend House File 2458, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

7 GENERAL APPROPRIATION FOR FY 2014-2015

8 Section 1. 2013 Iowa Acts, chapter 132, section 27,  
9 is amended to read as follows:

10 SEC. 27. GENERAL FUND — DEPARTMENT.

11 1. There is appropriated from the general fund of  
12 the state to the department of agriculture and land  
13 stewardship for the fiscal year beginning July 1, 2014,  
14 and ending June 30, 2015, the following amount, or  
15 so much thereof as is necessary, to be used for the  
16 purposes designated:

17 For purposes of supporting the department, including  
18 its divisions, for administration, regulation, and  
19 programs; for salaries, support, maintenance, and  
20 miscellaneous purposes; and for not more than the  
21 following full-time equivalent positions:  
22 ..... \$ ~~8,790,664~~  
23 17,705,492  
24 ..... FTEs 372.00

25 2. Of the amount appropriated in subsection 1,  
26 the following amount is transferred to Iowa state  
27 university of science and technology, to be used  
28 for the university's midwest grape and wine industry  
29 institute:

30 ..... \$ ~~119,000~~  
31 338,000

32 3. The department shall submit a report each  
33 quarter of the fiscal year to the legislative services  
34 agency, the department of management, the members of  
35 the joint appropriations subcommittee on agriculture  
36 and natural resources, and the chairpersons and  
37 ranking members of the senate and house committees on  
38 appropriations. The report shall describe in detail  
39 the expenditure of moneys appropriated in this section  
40 to support the department's administration, regulation,  
41 and programs.

42 DESIGNATED APPROPRIATIONS

43 MISCELLANEOUS FUNDS

44 Sec. 2. 2013 Iowa Acts, chapter 132, section 28, is  
45 amended to read as follows:

46 SEC. 28. UNCLAIMED PARI-MUTUEL WAGERING WINNINGS —  
47 HORSE AND DOG RACING. There is appropriated from the  
48 moneys available under section 99D.13 to the department  
49 of agriculture and land stewardship for the fiscal year  
50 beginning July 1, 2014, and ending June 30, 2015, the

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1 following amount, or so much thereof as is necessary,  
2 to be used for the purposes designated:

3 For purposes of supporting the department's  
4 administration and enforcement of horse and dog racing  
5 law pursuant to section 99D.22, including for salaries,  
6 support, maintenance, and miscellaneous purposes:  
7 ..... \$ 152,758  
8 305,516

9 Sec. 3. 2013 Iowa Acts, chapter 132, section 29, is  
10 amended to read as follows:

11 SEC. 29. RENEWABLE FUEL INFRASTRUCTURE FUND —  
12 MOTOR FUEL INSPECTION. There is appropriated from  
13 the renewable fuel infrastructure fund created in  
14 section 159A.16 to the department of agriculture and  
15 land stewardship for the fiscal year beginning July 1,  
16 2014, and ending June 30, 2015, the following amount,  
17 or so much thereof as is necessary, to be used for the  
18 purposes designated:

19 For purposes of the inspection of motor fuel,  
20 including salaries, support, maintenance, and  
21 miscellaneous purposes:  
22 ..... \$ 250,000  
23 500,000

24 The department shall establish and administer  
25 programs for the auditing of motor fuel including  
26 biofuel processing and production plants, for screening  
27 and testing motor fuel, including renewable fuel,  
28 and for the inspection of motor fuel sold by dealers  
29 including retail dealers who sell and dispense motor  
30 fuel from motor fuel pumps.

31 SPECIAL APPROPRIATIONS  
32 GENERAL FUND

33 Sec. 4. 2013 Iowa Acts, chapter 132, section 30, is  
34 amended to read as follows:

35 SEC. 30. DAIRY REGULATION. There is appropriated  
36 from the general fund of the state to the department of  
37 agriculture and land stewardship for the fiscal year  
38 beginning July 1, 2014, and ending June 30, 2015, the  
39 following amount, or so much thereof as is necessary,  
40 to be used for the purposes designated:

41 1. For purposes of performing functions pursuant to  
42 section 192.109, including conducting a survey of grade  
43 "A" milk and certifying the results to the secretary  
44 of agriculture:  
45 ..... \$ 94,598  
46 189,196

47 2. Notwithstanding section 8.33, moneys  
48 appropriated in this section that remain unencumbered  
49 or unobligated at the close of the fiscal year shall  
50 not revert but shall remain available to be used

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1 for the purposes designated until the close of the  
2 succeeding fiscal year.

3 Sec. 5. 2013 Iowa Acts, chapter 132, section 31, is  
4 amended to read as follows:

5 SEC. 31. LOCAL FOOD AND FARM PROGRAM. There is  
6 appropriated from the general fund of the state to the  
7 department of agriculture and land stewardship for the  
8 fiscal year beginning July 1, 2014, and ending June 30,  
9 2015, the following amount, or so much thereof as is  
10 necessary, to be used for the purposes designated:

11 1. For purposes of supporting the local food and  
12 farm program pursuant to chapter 267A:

13 ..... \$ ~~37,500~~  
14 75,000

15 2. The department shall enter into a cost-sharing  
16 agreement with Iowa state university to support the  
17 local food and farm program coordinator position as  
18 part of the university's cooperative extension service  
19 in agriculture and home economics pursuant to chapter  
20 267A.

21 3. Notwithstanding section 8.33, moneys  
22 appropriated in this section that remain unencumbered  
23 or unobligated at the close of the fiscal year shall  
24 not revert but shall remain available to be used  
25 for the purposes designated until the close of the  
26 succeeding fiscal year.

27 Sec. 6. 2013 Iowa Acts, chapter 132, section 32, is  
28 amended to read as follows:

29 SEC. 32. AGRICULTURAL EDUCATION. There is  
30 appropriated from the general fund of the state to the  
31 department of agriculture and land stewardship for the  
32 fiscal year beginning July 1, 2014, and ending June 30,  
33 2015, the following amount, or so much thereof as is  
34 necessary, to be used for the purposes designated:

35 1. For purposes of allocating moneys to an Iowa  
36 association affiliated with a national organization  
37 which promotes agricultural education providing for  
38 future farmers:

39 ..... \$ ~~12,500~~  
40 25,000

41 2. Notwithstanding section 8.33, moneys  
42 appropriated for the fiscal year beginning July 1,  
43 2014, in this section that remain unencumbered or  
44 unobligated at the close of the fiscal year shall not  
45 revert but shall remain available to be used for the  
46 purposes designated until the close of the succeeding  
47 fiscal year.

48 Sec. 7. 2013 Iowa Acts, chapter 132, section 33, is  
49 amended to read as follows:

50 SEC. 33. FARMERS WITH DISABILITIES PROGRAM.

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1 1. There is appropriated from the general fund of  
2 the state to the department of agriculture and land  
3 stewardship for the fiscal year beginning July 1, 2014,  
4 and ending June 30, 2015, the following amount, or  
5 so much thereof as is necessary, to be used for the  
6 purposes designated:  
7 For purposes of supporting a program for farmers  
8 with disabilities:  
9 ..... \$ 65,000  
10 ..... 130,000  
11 2. The moneys appropriated in subsection 1 shall  
12 be used for the public purpose of providing a grant to  
13 a national nonprofit organization with over 80 years  
14 of experience in assisting children and adults with  
15 disabilities and special needs.  
16 a. The moneys shall be used to support a nationally  
17 recognized program that began in 1986 and has been  
18 replicated in at least 30 other states, but which  
19 is not available through any other entity in this  
20 state, and that provides assistance to farmers with  
21 disabilities in all 99 counties to allow the farmers to  
22 remain in their own homes and be gainfully engaged in  
23 farming through provision of agricultural worksite and  
24 home modification consultations, peer support services,  
25 services to families, information and referral, and  
26 equipment loan services.  
27 b. Notwithstanding section 8.33, moneys  
28 appropriated in this section that remain unencumbered  
29 or unobligated at the close of the fiscal year shall  
30 not revert but shall remain available for expenditure  
31 for the purposes designated until the close of the  
32 succeeding fiscal year.  
33 Sec. 8. 2013 Iowa Acts, chapter 132, is amended by  
34 adding the following new section:  
35 NEW SECTION. SEC. 33A. SILOS AND  
36 SMOKESTACKS. There is appropriated from the general  
37 fund of the state to the department of agriculture and  
38 land stewardship for the fiscal year beginning July 1,  
39 2014, and ending June 30, 2015, the following amount,  
40 or so much thereof as is necessary, to be used for the  
41 purposes designated:  
42 For purposes of supporting the silos and smokestacks  
43 national heritage area to support continued  
44 agricultural education and preservation:  
45 ..... \$ 150,000  
46 DIVISION II  
47 GENERAL FUND  
48 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
49 WATER QUALITY  
50 APPROPRIATIONS FOR FY 2014-2015

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1     Sec. 9. 2013 Iowa Acts, chapter 132, section 34, is  
2 amended to read as follows:  
3     SEC. 34. WATER QUALITY INITIATIVE — GENERAL.  
4     1. There is appropriated from the general fund of  
5 the state to the department of agriculture and land  
6 stewardship for the fiscal year beginning July 1, 2014,  
7 and ending June 30, 2015, the following amount, or  
8 so much thereof as is necessary, to be used for the  
9 purposes designated:  
10     For deposit in the water quality initiative fund  
11 created in section 466B.45, as enacted by this Act, for  
12 purposes of supporting the water quality initiative  
13 administered by the soil conservation division as  
14 provided in section 466B.42, as enacted by this Act,  
15 including salaries, support, maintenance, miscellaneous  
16 purposes, and for not more than the following full-time  
17 equivalent positions:  
18 ..... \$ 4,400,000  
19 ..... FTEs 1.00  
20     2. a. The moneys appropriated in subsection 1  
21 shall be used to support ~~reducing-nutrients~~ projects  
22 in subwatersheds as designated by the division that  
23 are part of high-priority watersheds identified by  
24 the water resources coordinating council established  
25 pursuant to section 466B.3. ~~In-supporting-reducing~~  
26 ~~nutrients~~  
27     b. The moneys appropriated in subsection 1 shall  
28 be used to support projects in watersheds generally,  
29 including regional watersheds, as designated by the  
30 division and high-priority watersheds identified by  
31 the water resources coordinating council established  
32 pursuant to section 466B.3.  
33     2A. ~~In supporting projects in subwatersheds, the~~  
34 ~~division shall establish and administer demonstration~~  
35 ~~projects as follows and watersheds as provided in~~  
36 ~~subsection 2, all of the following shall apply:~~  
37     a. The demonstration projects shall utilize water  
38 quality practices as described in the latest revision  
39 of the document entitled "Iowa Nutrient Reduction  
40 Strategy" initially presented in November 2012 by  
41 the department of agriculture and land stewardship,  
42 the department of natural resources, and Iowa state  
43 university of science and technology.  
44     b. The division shall implement demonstration  
45 projects as provided in paragraph "a" by providing for  
46 participation by persons who hold a legal interest in  
47 agricultural land used in farming. To every extent  
48 practical, the division shall provide for collaborative  
49 participation by such persons who hold a legal  
50 interest in agricultural land located within the same

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1 subwatershed.

2 c. The division shall implement a demonstration  
3 project on a cost-share basis as determined by the  
4 division. However, the state's share of the amount  
5 shall not exceed 50 percent of the estimated cost of  
6 establishing the practice as determined by the division  
7 or 50 percent of the actual cost of establishing the  
8 practice, whichever is less.

9 d. The demonstration projects shall be used to  
10 educate other persons about the feasibility and value  
11 of establishing similar water quality practices. The  
12 division shall promote field day events for purposes of  
13 allowing interested persons to establish water quality  
14 practices on their agricultural land.

15 e. The division shall conduct water quality  
16 evaluations within supported subwatersheds. Within  
17 a reasonable period after accumulating information  
18 from such evaluations, the division shall create an  
19 aggregated database of water quality practices. Any  
20 information identifying a person holding a legal  
21 interest in agricultural land or specific agricultural  
22 land shall be a confidential record under section 22.7.

23 3. The moneys appropriated in subsection 1 shall  
24 be used to support education and outreach in a manner  
25 that encourages persons who hold a legal interest in  
26 agricultural land used for farming to implement water  
27 quality practices, including the establishment of such  
28 practices in watersheds generally, and not limited to  
29 subwatersheds or high-priority watersheds.

30 4. The moneys appropriated in subsection 1 may  
31 be used to contract with persons to coordinate the  
32 implementation of efforts provided in this section.  
33 ~~Not more than \$150,000 shall be used to support~~  
34 ~~the administration of this section by a full-time~~  
35 ~~equivalent position.~~

36 5. Notwithstanding any other provision of law  
37 to the contrary, the department may use moneys  
38 appropriated in subsection 1 to carry out the  
39 provisions of this section on a cost-share basis in  
40 combination with other moneys appropriated available to  
41 the department from the environment first fund created  
42 in section 8.57A for cost sharing to match the United  
43 States department of agriculture, natural resources  
44 conservation service, wetland reserve enhancement  
45 program a state or federal source.

46 Sec. 10. 2013 Iowa Acts, chapter 132, section 35,  
47 is amended to read as follows:

48 SEC. 35. IOWA NUTRIENT RESEARCH CENTER.

49 1. There is appropriated from the general fund  
50 of the state to Iowa state university of science and

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1 technology for the fiscal year beginning July 1, 2014,  
2 and ending June 30, 2015, the following amount, or  
3 so much thereof as is necessary, to be used for the  
4 purposes designated:

5 For purposes of supporting an Iowa nutrient research  
6 center as established in section 466B.47, as enacted  
7 in this Act:

8 ..... \$ 750,000  
9 ..... 1,125,000

10 2. Notwithstanding section 8.33, moneys  
11 appropriated in this section that remain unencumbered  
12 or unobligated at the close of the fiscal year shall  
13 not revert but shall remain available for expenditure  
14 for the purposes designated until the close of the  
15 fiscal year beginning July 1, 2015.

16 DIVISION III

17 DEPARTMENT OF NATURAL RESOURCES

18 GENERAL APPROPRIATIONS FOR FY 2014-2015

19 Sec. 11. 2013 Iowa Acts, chapter 132, section 37,  
20 is amended to read as follows:

21 SEC. 37. GENERAL FUND — DEPARTMENT.

22 1. There is appropriated from the general fund of  
23 the state to the department of natural resources for  
24 the fiscal year beginning July 1, 2014, and ending June  
25 30, 2015, the following amount, or so much thereof as  
26 is necessary, to be used for the purposes designated:

27 For purposes of supporting the department, including  
28 its divisions, for administration, regulation, and  
29 programs; for salaries, support, maintenance, and  
30 miscellaneous purposes; and for not more than the  
31 following full-time equivalent positions:

32 ..... \$ 6,383,350  
33 ..... 12,862,307  
34 ..... FTEs 1,145.95

35 2. Of the number of full-time equivalent positions  
36 authorized to the department pursuant to subsection 1,  
37 50.00 full-time equivalent positions shall be allocated  
38 by the department for seasonal employees for purposes  
39 of providing maintenance, upkeep, and sanitary services  
40 at state parks. This subsection shall not impact park  
41 ranger positions within the department.

42 3. The department shall submit a report each  
43 quarter of the fiscal year to the legislative services  
44 agency, the department of management, the members of  
45 the joint appropriations subcommittee on agriculture  
46 and natural resources, and the chairpersons and  
47 ranking members of the senate and house committees on  
48 appropriations. The report shall describe in detail  
49 the expenditure of moneys appropriated under this  
50 section to support the department's administration,

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1 regulation, and programs.

2 Sec. 12. 2013 Iowa Acts, chapter 132, section 38,

3 is amended to read as follows:

4 SEC. 38. STATE FISH AND GAME PROTECTION FUND —

5 REGULATION AND ADVANCEMENT OF OUTDOOR ACTIVITIES.

6 1. There is appropriated from the state fish and

7 game protection fund to the department of natural

8 resources for the fiscal year beginning July 1, 2014,

9 and ending June 30, 2015, the following amount, or

10 so much thereof as is necessary, to be used for the

11 purposes designated:

12 For purposes of supporting the regulation or

13 advancement of hunting, fishing, or trapping, or the

14 protection, propagation, restoration, management,

15 or harvest of fish or wildlife, including for

16 administration, regulation, law enforcement, and

17 programs; and for salaries, support, maintenance,

18 equipment, and miscellaneous purposes:

19 ..... \$ 20,539,117

20 41,223,225

21 2. Notwithstanding section 455A.10, the department

22 may use the unappropriated balance remaining in the

23 state fish and game protection fund to provide for the

24 funding of health and life insurance premium payments

25 from unused sick leave balances of conservation peace

26 officers employed in a protection occupation who

27 retire, pursuant to section 97B.49B.

28 3. Notwithstanding section 455A.10, the department

29 of natural resources may use the unappropriated

30 balance remaining in the state fish and game protection

31 fund for the fiscal year beginning July 1, 2014,

32 and ending June 30, 2015, as is necessary to fund

33 salary adjustments for departmental employees which

34 the general assembly has made an operating budget

35 appropriation for insubsection 1.

36 Sec. 13. 2013 Iowa Acts, chapter 132, section 39,

37 is amended to read as follows:

38 SEC. 39. GROUNDWATER PROTECTION FUND — WATER

39 QUALITY. There is appropriated from the groundwater

40 protection fund created in section 455E.11 to the

41 department of natural resources for the fiscal year

42 beginning July 1, 2014, and ending June 30, 2015, from

43 those moneys which are not allocated pursuant to that

44 section, the following amount, or so much thereof as is

45 necessary, to be used for the purposes designated:

46 For purposes of supporting the department's

47 protection of the state's groundwater, including

48 for administration, regulation, and programs, and

49 for salaries, support, maintenance, equipment, and

50 miscellaneous purposes:



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1 ..... \$ ~~1,727,916~~  
2 3,455,832  
3 DESIGNATED APPROPRIATIONS  
4 MISCELLANEOUS FUNDS  
5 Sec. 14. 2013 Iowa Acts, chapter 132, section 40,  
6 is amended to read as follows:  
7 SEC. 40. SPECIAL SNOWMOBILE FUND — SNOWMOBILE  
8 PROGRAM. There is appropriated from the special  
9 snowmobile fund created under section 321G.7 to the  
10 department of natural resources for the fiscal year  
11 beginning July 1, 2014, and ending June 30, 2015, the  
12 following amount, or so much thereof as is necessary,  
13 to be used for the purpose designated:  
14 For purposes of administering and enforcing the  
15 state snowmobile programs:  
16 ..... \$ ~~50,000~~  
17 100,000  
18 Sec. 15. 2013 Iowa Acts, chapter 132, section 41,  
19 is amended to read as follows:  
20 SEC. 41. UNASSIGNED REVENUE FUND — UNDERGROUND  
21 STORAGE TANK SECTION EXPENSES. There is appropriated  
22 from the unassigned revenue fund administered by the  
23 Iowa comprehensive petroleum underground storage tank  
24 fund board to the department of natural resources for  
25 the fiscal year beginning July 1, 2014, and ending June  
26 30, 2015, the following amount, or so much thereof as  
27 is necessary, to be used for the purpose designated:  
28 For purposes of paying for administration expenses  
29 of the department's underground storage tank section:  
30 ..... \$ ~~100,000~~  
31 200,000  
32 SPECIAL APPROPRIATIONS  
33 GENERAL FUND  
34 Sec. 16. 2013 Iowa Acts, chapter 132, section 42,  
35 is amended to read as follows:  
36 SEC. 42. FLOODPLAIN MANAGEMENT AND DAM SAFETY.  
37 1. There is appropriated from the general fund of  
38 the state to the department of natural resources for  
39 the fiscal year beginning July 1, 2014, and ending June  
40 30, 2015, the following amount, or so much thereof as  
41 is necessary, to be used for the purpose designated:  
42 For purposes of supporting floodplain management and  
43 dam safety:  
44 ..... \$ ~~1,000,000~~  
45 2,000,000  
46 2. Of the amount appropriated in subsection 1, up  
47 to \$340,000 may be used by the department to acquire  
48 or install stream gages for purposes of tracking and  
49 predicting flood events and for compiling necessary  
50 data to improve flood frequency analysis.

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1 3. Notwithstanding section 8.33, moneys  
2 appropriated in subsection 1 that remain unencumbered  
3 or unobligated at the close of the fiscal year shall  
4 not revert but shall remain available for expenditure  
5 for the purposes designated until the close of the  
6 succeeding fiscal year.  
7 Sec. 17. 2013 Iowa Acts, chapter 132, section 43,  
8 is amended to read as follows:  
9 SEC. 43. FORESTRY HEALTH MANAGEMENT.  
10 1. There is appropriated from the general fund of  
11 the state to the department of natural resources for  
12 the fiscal year beginning July 1, 2014, and ending June  
13 30, 2015, the following amount, or so much thereof as  
14 is necessary, to be used for the purposes designated:  
15 For purposes of providing for forestry health  
16 management programs:  
17 ..... \$ 100,000  
18 ..... 500,000  
19 2. Notwithstanding section 8.33, moneys  
20 appropriated in this section that remain unencumbered  
21 or unobligated at the close of the fiscal year shall  
22 not revert but shall remain available to be used  
23 for the purposes designated until the close of the  
24 succeeding fiscal year.  
25 DIVISION IV  
26 IOWA STATE UNIVERSITY  
27 SPECIAL GENERAL FUND APPROPRIATION FOR FY 2014-2015  
28 Sec. 18. 2013 Iowa Acts, chapter 132, section 45,  
29 is amended to read as follows:  
30 SEC. 45. VETERINARY DIAGNOSTIC LABORATORY.  
31 1. There is appropriated from the general fund  
32 of the state to Iowa state university of science and  
33 technology for the fiscal year beginning July 1, 2014,  
34 and ending June 30, 2015, the following amount, or  
35 so much thereof as is necessary, to be used for the  
36 purposes designated:  
37 For purposes of supporting the college of veterinary  
38 medicine for the operation of the veterinary diagnostic  
39 laboratory and for not more than the following  
40 full-time equivalent positions:  
41 ..... \$ 1,881,318  
42 ..... 3,900,000  
43 ..... FTEs 50.00  
44 2. a. Iowa state university of science and  
45 technology shall not reduce the amount that it  
46 allocates to support the college of veterinary medicine  
47 from any other source due to the appropriation made in  
48 this section.  
49 b. Paragraph "a" does not apply to a reduction made  
50 to support the college of veterinary medicine, if the

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1 same percentage of reduction imposed on the college  
2 of veterinary medicine is also imposed on all of Iowa  
3 state university's budget units.  
4 3. If by June 30, 2015, Iowa state university  
5 of science and technology fails to allocate the  
6 moneys appropriated in this section to the college of  
7 veterinary medicine in accordance with this section,  
8 the moneys appropriated in this section for that fiscal  
9 year shall revert to the general fund of the state.

10 DIVISION V  
11 ENVIRONMENT FIRST FUND  
12 GENERAL APPROPRIATIONS FOR FY 2014-2015  
13 Sec. 19. 2013 Iowa Acts, chapter 132, section 47,  
14 is amended to read as follows:  
15 SEC. 47. DEPARTMENT OF AGRICULTURE AND LAND  
16 STEWARDSHIP. There is appropriated from the  
17 environment first fund created in section 8.57A to the  
18 department of agriculture and land stewardship for the  
19 fiscal year beginning July 1, 2014, and ending June 30,  
20 2015, the following amounts, or so much thereof as is  
21 necessary, to be used for the purposes designated:  
22 1. CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)  
23 a. For the conservation reserve enhancement program  
24 to restore and construct wetlands for the purposes of  
25 intercepting tile line runoff, reducing nutrient loss,  
26 improving water quality, and enhancing agricultural  
27 production practices:  
28 ..... \$ 500,000  
29 ..... 1,000,000  
30 b. Not more than 10 percent of the moneys  
31 appropriated in paragraph "a" may be used for costs of  
32 administration and implementation of soil and water  
33 conservation practices.  
34 c. Notwithstanding any other provision in law,  
35 the department may provide state resources from this  
36 appropriation, in combination with other appropriate  
37 environment first fund appropriations, for cost sharing  
38 to match United States department of agriculture,  
39 natural resources conservation service, wetlands  
40 reserve enhancement program (WREP) funding available  
41 to Iowa.  
42 2. WATERSHED PROTECTION  
43 a. For continuation of a program that provides  
44 multiobjective resource protections for flood control,  
45 water quality, erosion control, and natural resource  
46 conservation:  
47 ..... \$ 450,000  
48 ..... 900,000  
49 b. Not more than 10 percent of the moneys  
50 appropriated in paragraph "a" may be used for costs of

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1 administration and implementation of soil and water  
2 conservation practices.  
3 3. FARM MANAGEMENT DEMONSTRATION PROGRAM  
4 a. For continuation of a statewide voluntary farm  
5 management demonstration program to demonstrate the  
6 effectiveness and adaptability of emerging practices in  
7 agronomy that protect water resources and provide other  
8 environmental benefits:  
9 ..... \$ 312,500  
10 ..... 625,000  
11 b. Not more than 10 percent of the moneys  
12 appropriated in paragraph "a" may be used for costs of  
13 administration and implementation of soil and water  
14 conservation practices.  
15 c. Of the amount appropriated in paragraph "a",  
16 ~~\$200,000~~ \$400,000 shall be allocated to an organization  
17 representing soybean growers to provide for an  
18 agriculture and environment performance program in  
19 order to carry out the purposes of this subsection as  
20 specified in paragraph "a".  
21 4. SOIL AND WATER CONSERVATION — ADMINISTRATION  
22 For use by the department for costs of  
23 administration and implementation of soil and water  
24 conservation practices:  
25 ..... \$ 1,275,000  
26 ..... 2,550,000  
27 5. CONSERVATION RESERVE PROGRAM (CRP)  
28 a. To encourage and assist farmers in enrolling  
29 in and the implementation of the federal conservation  
30 reserve program and to work with them to enhance their  
31 revegetation efforts to improve water quality and  
32 habitat:  
33 ..... \$ 500,000  
34 ..... 1,000,000  
35 b. Not more than 10 percent of the moneys  
36 appropriated in paragraph "a" may be used for costs of  
37 administration and implementation of soil and water  
38 conservation practices.  
39 6. SOIL AND WATER CONSERVATION  
40 a. For use by the department in providing for soil  
41 and water conservation administration, the conservation  
42 of soil and water resources, or the support of soil and  
43 water conservation district commissioners:  
44 ..... \$ 3,325,000  
45 ..... 6,650,000  
46 b. Not more than 5 percent of the moneys  
47 appropriated in paragraph "a" may be allocated for  
48 cost sharing to address complaints filed under section  
49 161A.47.  
50 c. Of the moneys appropriated in paragraph "a",

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1 5 percent shall be allocated for financial incentives  
2 to establish practices to protect watersheds above  
3 publicly owned lakes of the state from soil erosion and  
4 sediment as provided in section 161A.73.

5 d. Not more than 30 percent of a soil and water  
6 conservation district's allocation of moneys as  
7 financial incentives may be provided for the purpose  
8 of establishing management practices to control soil  
9 erosion on land that is row cropped, including but  
10 not limited to no-till planting, ridge-till planting,  
11 contouring, and contour strip-cropping as provided in  
12 section 161A.73.

13 e. The state soil conservation committee  
14 established by section 161A.4 may allocate moneys  
15 appropriated in paragraph "a" to conduct research and  
16 demonstration projects to promote conservation tillage  
17 and nonpoint source pollution control practices.

18 f. The allocation of moneys as financial incentives  
19 as provided in section 161A.73 may be used in  
20 combination with moneys allocated by the department of  
21 natural resources.

22 g. Not more than 15 percent of the moneys  
23 appropriated in paragraph "a" may be used for costs of  
24 administration and implementation of soil and water  
25 conservation practices.

26 h. In lieu of moneys appropriated in section  
27 466A.5, not more than ~~\$25,000~~ \$50,000 of the moneys  
28 appropriated in paragraph "a" shall be used by the soil  
29 conservation division of the department of agriculture  
30 and land stewardship to provide administrative support  
31 to the watershed improvement review board established  
32 in section 466A.3.

33 7. LOESS HILLS DEVELOPMENT AND CONSERVATION FUND

34 a. For deposit in the loess hills development and  
35 conservation fund created in section 161D.2:

36 ..... \$ 262,500  
37 ..... 250,000

38 b. (1) Of the amount appropriated in paragraph  
39 "a", ~~\$196,875~~ \$187,500 shall be allocated to the fund's  
40 hungry canyons account.

41 (2) Not more than 10 percent of the moneys  
42 allocated to the hungry canyons account as provided in  
43 subparagraph (1) may be used for administrative costs.

44 c. (1) Of the amount appropriated in paragraph  
45 "a", ~~\$65,625~~ \$62,500 shall be allocated to the fund's  
46 loess hills alliance account.

47 (2) Not more than 10 percent of the moneys  
48 allocated to the loess hills alliance account  
49 as provided in subparagraph (1) may be used for  
50 administrative costs.

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1     Sec. 20. 2013 Iowa Acts, chapter 132, section 48,  
2 is amended to read as follows:  
3     SEC. 48. DEPARTMENT OF NATURAL RESOURCES. There is  
4 appropriated from the environment first fund created in  
5 section 8.57A to the department of natural resources  
6 for the fiscal year beginning July 1, 2014, and ending  
7 June 30, 2015, the following amounts, or so much  
8 thereof as is necessary, to be used for the purposes  
9 designated:  
10     1. KEEPERS OF THE LAND  
11     For statewide coordination of volunteer efforts  
12 under the water quality and keepers of the land  
13 programs:  
14 ..... \$     50,000  
15 ..... 100,000  
16     2. STATE PARKS MAINTENANCE AND OPERATIONS  
17     For regular maintenance of state parks and staff  
18 time associated with these activities:  
19 ..... \$    ~~3,180,000~~  
20 ..... 6,360,000  
21     3. GEOGRAPHIC INFORMATION SYSTEM (GIS)  
22     To provide local watershed managers with geographic  
23 information system data for their use in developing,  
24 monitoring, and displaying results of their watershed  
25 work:  
26 ..... \$     97,500  
27 ..... 195,000  
28     4. WATER QUALITY MONITORING  
29     For continuing the establishment and operation of  
30 water quality monitoring stations:  
31 ..... \$   ~~1,477,500~~  
32 ..... 2,955,000  
33     5. PUBLIC WATER SUPPLY SYSTEM ACCOUNT  
34     For deposit in the public water supply system  
35 account of the water quality protection fund created  
36 in section 455B.183A:  
37 ..... \$     250,000  
38 ..... 500,000  
39     6. REGULATION OF ANIMAL FEEDING OPERATIONS  
40     For the regulation of animal feeding operations,  
41 including as provided for in chapters 459 through 459B:  
42 ..... \$     ~~660,000~~  
43 ..... 1,320,000  
44     7. AMBIENT AIR QUALITY  
45     For the abatement, control, and prevention of  
46 ambient air pollution in this state, including measures  
47 as necessary to assure attainment and maintenance of  
48 ambient air quality standards from particulate matter:  
49 ..... \$     ~~212,500~~  
50 ..... 425,000

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1 8. WATER QUANTITY REGULATION  
2 For regulating water quantity from surface and  
3 subsurface sources by providing for the allocation and  
4 use of water resources, the protection and management  
5 of water resources, and the preclusion of conflicts  
6 among users of water resources, including as provided  
7 in chapter 455B, division III, part 4:  
8 ..... \$ 247,500  
9 ..... 495,000  
10 9. GEOLOGICAL AND WATER SURVEY  
11 For continuing the operations of the department's  
12 geological and water survey including but not limited  
13 to providing analysis, data collection, investigative  
14 programs, and information for water supply development  
15 and protection:  
16 ..... \$ 100,000  
17 ..... 200,000  
18 10. KEEP IOWA BEAUTIFUL INITIATIVE  
19 For purposes of supporting a keep Iowa beautiful  
20 initiative in order to assist communities in developing  
21 and implementing beautification and community  
22 development plans:  
23 ..... \$ 100,000  
24 ..... 200,000  
25 11. SOIL MOISTURE MONITORING NETWORK  
26 For purposes of developing a soil moisture  
27 monitoring network to comprehensively measure,  
28 simulate, and assess this state's water resources,  
29 including its groundwater:  
30 ..... \$ 75,000  
31 Sec. 21. 2013 Iowa Acts, chapter 132, is amended by  
32 adding the following new section:  
33 NEW SECTION. SEC. 48A. IOWA STATE UNIVERSITY —  
34 IOWA NUTRIENT RESEARCH CENTER.  
35 1. There is appropriated from the environment first  
36 fund created in section 8.57A to Iowa state university  
37 of science and technology for the fiscal year beginning  
38 July 1, 2014, and ending June 30, 2015, the following  
39 amount, or so much thereof as is necessary, to be used  
40 for the purposes designated:  
41 For purposes of supporting an Iowa nutrient research  
42 center as established in section 466B.47:  
43 ..... \$ 200,000  
44 DIVISION VI  
45 ENVIRONMENT FIRST FUND  
46 SPECIAL APPROPRIATION FOR FY 2014-2015  
47 Sec. 22. 2013 Iowa Acts, chapter 132, is amended by  
48 adding the following new section:  
49 NEW SECTION. SEC. 64. REAP — IN LIEU OF GENERAL  
50 FUND APPROPRIATION. Notwithstanding the amount of

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1 the standing appropriation from the general fund  
2 of the state to the Iowa resources enhancement and  
3 protection fund as provided in section 455A.18, there  
4 is appropriated from the environment first fund created  
5 in section 8.57A to the Iowa resources enhancement and  
6 protection fund, in lieu of the appropriation made in  
7 section 455A.18, for the fiscal year beginning July 1,  
8 2014, and ending June 30, 2015, the following amount,  
9 to be allocated as provided in section 455A.19:

10 ..... \$ 16,000,000

11 DIVISION VII

12 RELATED STATUTORY CHANGES

13 DNR — MANURE MANAGEMENT CERTIFICATION

14 Sec. 23. 2013 Iowa Acts, chapter 132, section 17,  
15 is amended by adding the following new subsection:

16 NEW SUBSECTION. 2A. Notwithstanding section  
17 8.33, moneys appropriated in subsection 1 that remain  
18 unencumbered or unobligated at the close of the fiscal  
19 year beginning July 1, 2013, shall not revert but shall  
20 remain available for expenditure for the purposes  
21 designated until the close of the fiscal year beginning  
22 July 1, 2014.

23 Sec. 24. EFFECTIVE UPON ENACTMENT. This division  
24 of this Act, being deemed of immediate importance,  
25 takes effect upon enactment.

26 DIVISION VIII

27 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS

28 Sec. 25. PERSONNEL SETTLEMENT AGREEMENT  
29 PAYMENTS. As a condition made to any appropriation to  
30 the department of agriculture and land stewardship,  
31 the department of natural resources, or Iowa state  
32 university as provided in this Act, moneys appropriated  
33 and any other moneys available for use by the entity  
34 receiving the appropriation under this Act shall not  
35 be used for the payment of a personnel settlement  
36 agreement between that entity and a state employee  
37 that contains a confidentiality provision intended to  
38 prevent public disclosure of the agreement or any terms  
39 of the agreement.

40 DIVISION IX

41 DNR — AIR QUALITY PROGRAM TASK FORCE

42 Sec. 26. AIR QUALITY PROGRAM TASK FORCE.

43 1. As used in this section:

44 a. "Bureau" means the air quality bureau of the  
45 department of natural resources.

46 b. "Commission" means the environmental protection  
47 commission.

48 c. "Department" means the department of natural  
49 resources.

50 d. "Director" means the director of the department.

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1     2. An air quality program task force is created  
2 within the department.  
3     3. The membership of the task force shall include  
4 voting members appointed as follows:  
5     a. Nine individuals representing interested  
6 organizations as appointed by the governing body of  
7 each organization. The interested organizations shall  
8 include all of the following:  
9       (1) The Iowa utility association.  
10      (2) The Iowa association of municipal utilities.  
11      (3) The Iowa limestone producers association.  
12      (4) The asphalt paving association of Iowa.  
13      (5) The Iowa environmental council.  
14      (6) The Iowa association of electric cooperatives.  
15      (7) The Iowa chapter of the national federation of  
16 independent business.  
17      (8) The Iowa institute for cooperatives.  
18      (9) The agribusiness association of Iowa.  
19     b. At least two individuals each representing a  
20 private facility as determined by the department. The  
21 director shall appoint the individuals. The private  
22 facilities shall include all of the following:  
23      (1) One that currently pays fees under Title V of  
24 the federal Clean Air Act Amendments of 1990, 42 U.S.C.  
25 §7401 et seq., pursuant to chapter 455B, including 567  
26 IAC ch. 22.  
27      (2) One that has been issued a construction permit  
28 pursuant to chapter 455B for minor emissions of air  
29 contaminants, if the facility is not required to pay  
30 fees as provided in subparagraph (1).  
31     c. Any other individuals representing persons  
32 specified by the department who shall be appointed by  
33 the director, including but not limited to additional  
34 individuals representing different private facilities  
35 as provided in paragraph "b". The director shall make  
36 every effort possible to provide for gender balanced  
37 appointments.  
38     4. The membership of the task force shall include  
39 three nonvoting members appointed as follows:  
40     a. One individual representing the department who  
41 shall be appointed by the director.  
42     b. One individual representing the commission who  
43 shall be appointed by the commission.  
44     c. One member representing the Iowa association of  
45 business and industry who shall be appointed by the  
46 governing body of that association.  
47     5. a. The department shall provide office space,  
48 staff assistance, and necessary supplies and equipment  
49 to the task force.  
50     b. To every extent feasible, the department shall

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1 nominate and the task force shall vote to approve a  
2 qualified person to facilitate the conduct of the  
3 meetings in a neutral manner that promotes considered  
4 and effective deliberation and consensus. The person  
5 shall serve without receiving compensation or expenses.  
6 c. A vacancy in the membership of the task force  
7 does not impair the right of a quorum to exercise all  
8 rights and perform all duties of the task force.  
9 d. A majority of voting members of the task force  
10 constitutes a quorum. Any action taken by the task  
11 force must be adopted by the affirmative vote of a  
12 majority of its members present, except that a lesser  
13 number may adjourn a meeting.  
14 6. a. The task force shall do all of the  
15 following:  
16 (1) Examine the current status of air quality  
17 programs, including associated permits and fees  
18 or other funding mechanisms, administered by the  
19 department's air quality bureau.  
20 (2) Review resources available to the bureau  
21 including but not limited to its full-time and  
22 part-time employees and permit processing times with  
23 the goal of identifying efficiencies that can be  
24 made internally by the bureau to better streamline  
25 the permit process for the bureau, permittees, and  
26 taxpayers.  
27 (3) Consider the future economic impact to  
28 consumers, businesses, and taxpayers resulting in all  
29 of the following:  
30 (a) Maintaining the current fee structure.  
31 (b) Establishing, implementing, and administering  
32 a new fee structure.  
33 (4) Consider the possible need for the  
34 establishment of alternative funding mechanisms to  
35 support the bureau including a new fee structure and  
36 revenue formula to be administered by the bureau.  
37 b. The task force may review similar air quality  
38 programs and fee structures administered in other  
39 states which may be used to identify a national,  
40 regional, or other identifiable average of costs for  
41 administering such programs.  
42 7. a. The task force shall approve a report  
43 prepared by the department of natural resources.  
44 b. The report shall include findings and  
45 recommendations adopted by the task force.  
46 c. The department shall submit the report to the  
47 governor, the director, the environmental protection  
48 commission, and the general assembly not later than  
49 December 15, 2014.  
50 8. This section is repealed on December 16, 2014.

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1 Sec. 27. EFFECTIVE UPON ENACTMENT. This division  
2 of this Act, being deemed of immediate importance,  
3 takes effect upon enactment.

4 DIVISION X

5 RELATED STATUTORY CHANGES FOR CODIFICATION IN 2014

6 WATER QUALITY INITIATIVE — CONFIDENTIALITY

7 Sec. 28. Section 466B.47, subsection 5, Code 2014,  
8 is amended by striking the subsection.

9 Sec. 29. NEW SECTION. 466B.49 Confidentiality of  
10 information.

11 Any information received, collected, or held under  
12 this subchapter is a confidential record, and is  
13 exempted from public access as provided in section  
14 22.7, if all of the following apply:

15 1. The information is received, collected, or held  
16 by any of the following:

17 a. The center.

18 b. A nonprofit organization that conducts nutrient  
19 management research, including but not limited to  
20 conducting evaluations, assessments, or validations.

21 2. The information identifies any of the following:

22 a. A person who holds a legal interest in  
23 agricultural land or who has previously held a legal  
24 interest in agricultural land.

25 b. A person who is involved or who has previously  
26 been involved in managing the agricultural land or  
27 producing crops or livestock on the agricultural land.

28 c. The identifiable location of the agricultural  
29 land.

30 Sec. 30. EFFECTIVE UPON ENACTMENT. This division  
31 of this Act, being deemed of immediate importance,  
32 takes effect upon enactment.

33 DIVISION XI

34 REPEAL

35 Sec. 31. REPEAL. 2013 Iowa Acts, chapter 132,  
36 section 44, is repealed.>

37 2. Title page, by striking lines 1 through 5 and  
38 inserting <An Act relating to and making appropriations  
39 involving state government entities involved with  
40 agriculture, natural resources, and environmental  
41 protection, making related statutory changes, and  
42 including effective date provisions.>

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COMMITTEE ON APPROPRIATIONS  
ROBERT E. DVORSKY, CHAIRPERSON

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House Amendment to  
Senate File 2349

S-5153

1 Amend Senate File 2349, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I

6 REBUILD IOWA INFRASTRUCTURE FUND

7 Section 1. There is appropriated from the rebuild  
8 Iowa infrastructure fund to the following departments  
9 and agencies for the following fiscal years, the  
10 following amounts, or so much thereof as is necessary,  
11 to be used for the purposes designated:

12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

13 For projects related to routine maintenance of state  
14 buildings and facilities:

15 FY 2014-2015:

16 ..... \$ 2,000,000

17 2. DEPARTMENT OF CULTURAL AFFAIRS

18 For deposit in the Iowa great places program fund  
19 created in section 303.3D for Iowa great places  
20 program projects that meet the definition of "vertical  
21 infrastructure" in section 8.57, subsection 5:

22 FY 2014-2015:

23 ..... \$ 1,000,000

24 3. ECONOMIC DEVELOPMENT AUTHORITY

25 For equal distribution to regional sports authority  
26 districts certified by the economic development  
27 authority pursuant to section 15E.321, notwithstanding  
28 section 8.57, subsection 5, paragraph "c":

29 FY 2014-2015:

30 ..... \$ 500,000

31 4. DEPARTMENT OF HUMAN SERVICES

32 For the renovation and construction of certain  
33 nursing facilities, consistent with the provisions of  
34 chapter 249K:

35 FY 2014-2015:

36 ..... \$ 500,000

37 5. DEPARTMENT OF NATURAL RESOURCES

38 a. For implementation of lake projects that  
39 have established watershed improvement initiatives  
40 and community support in accordance with the  
41 department's annual lake restoration plan and report,  
42 notwithstanding section 8.57, subsection 5, paragraph  
43 "c":

44 FY 2014-2015:

45 ..... \$ 9,600,000

46 b. For the administration of a water trails and  
47 low head dam public hazard statewide plan, including  
48 salaries, support, maintenance, and miscellaneous  
49 purposes, notwithstanding section 8.57, subsection 5,  
50 paragraph "c":

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1     FY 2014-2015:  
2 ..... \$ 2,000,000  
3     c. For the establishment of a new state park in a  
4 county with a population between 11,500 and 11,600 in  
5 the latest preceding certified federal census:  
6     FY 2014-2015:  
7 ..... \$ 2,000,000  
8     d. For funding projects of the Iowa parks  
9 foundation that support the centennial celebration of  
10 state parks, notwithstanding section 8.57, subsection  
11 5, paragraph "c":  
12     FY 2014-2015:  
13 ..... \$ 2,000,000  
14     6. DEPARTMENT OF PUBLIC DEFENSE  
15     a. For major maintenance projects at national guard  
16 armories and facilities:  
17     FY 2014-2015:  
18 ..... \$ 2,000,000  
19     b. For construction improvement projects for Iowa  
20 national guard installations and readiness centers to  
21 support operations and training requirements:  
22     FY 2014-2015:  
23 ..... \$ 2,000,000  
24     c. For exhibits highlighting Iowans and their  
25 service at the gold star museum, notwithstanding  
26 section 8.57, subsection 5, paragraph "c":  
27     FY 2014-2015:  
28 ..... \$ 250,000  
29     7. BOARD OF REGENTS  
30     a. For allocation by the state board of regents to  
31 the state university of Iowa, Iowa state university of  
32 science and technology, and the university of northern  
33 Iowa to reimburse the institutions for deficiencies  
34 in the operating funds resulting from the pledging of  
35 tuition, student fees and charges, and institutional  
36 income to finance the cost of providing academic and  
37 administrative buildings and facilities and utility  
38 services at the institutions:  
39     FY 2014-2015:  
40 ..... \$ 29,735,423  
41     b. For costs associated with the renovation,  
42 modernization, and construction of a new addition at  
43 the pharmacy building at the state university of Iowa:  
44     FY 2014-2015:  
45 ..... \$ 2,000,000  
46     c. For the construction of a new facility and an  
47 addition, renovation, and modernization of current  
48 facilities and related improvements for biosciences at  
49 Iowa state university of science and technology:  
50     FY 2014-2015:

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1 ..... \$ 2,000,000  
2 d. For the renovation, modernization, and  
3 associated improvements to an educational center for  
4 teacher education and preparation at the university of  
5 northern Iowa:  
6 FY 2014-2015:  
7 ..... \$ 2,000,000  
8 8. STATE FAIR AUTHORITY  
9 For infrastructure costs associated with renovations  
10 and improvements to the youth inn on the Iowa state  
11 fairgrounds:  
12 FY 2014-2015:  
13 ..... \$ 825,000  
14 FY 2015-2016:  
15 ..... \$ 2,325,000  
16 9. DEPARTMENT OF TRANSPORTATION  
17 a. For acquiring, constructing, and improving  
18 recreational trails within the state:  
19 FY 2014-2015:  
20 ..... \$ 3,000,000  
21 b. For deposit in the public transit infrastructure  
22 grant fund created in section 324A.6A, for projects  
23 that meet the definition of "vertical infrastructure"  
24 in section 8.57, subsection 5, paragraph "c":  
25 FY 2014-2015:  
26 ..... \$ 1,500,000  
27 c. For infrastructure improvements at the  
28 commercial service airports within the state:  
29 FY 2014-2015:  
30 ..... \$ 1,500,000  
31 d. For infrastructure improvements at general  
32 aviation airports within the state:  
33 FY 2014-2015:  
34 ..... \$ 750,000  
35 e. For deposit in the railroad revolving loan and  
36 grant fund created in section 327H.20A, notwithstanding  
37 section 8.57, subsection 5, paragraph "c":  
38 FY 2014-2015:  
39 ..... \$ 4,000,000  
40 10. TREASURER OF STATE  
41 For distribution in accordance with chapter 174 to  
42 qualified fairs which belong to the association of Iowa  
43 fairs for county fair infrastructure improvements:  
44 FY 2014-2015:  
45 ..... \$ 1,060,000  
46 Sec. 2. REVERSION. For purposes of section 8.33,  
47 unless specifically provided otherwise, unencumbered  
48 or unobligated moneys made from an appropriation in  
49 this division of this Act shall not revert but shall  
50 remain available for expenditure for the purposes

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1 designated until the close of the fiscal year that ends  
2 three years after the end of the fiscal year for which  
3 the appropriation is made. However, if the project  
4 or projects for which such appropriation was made are  
5 completed in an earlier fiscal year, unencumbered or  
6 unobligated moneys shall revert at the close of that  
7 same fiscal year.

8 DIVISION II  
9 TECHNOLOGY REINVESTMENT FUND

10 Sec. 3. There is appropriated from the technology  
11 reinvestment fund created in section 8.57C to the  
12 following departments and agencies for the following  
13 fiscal years, the following amounts, or so much  
14 thereof as is necessary, to be used for the purposes  
15 designated:

16 1. DEPARTMENT OF CULTURAL AFFAIRS

17 For providing a grant to a museum district for the  
18 Sullivan brothers veterans museum for costs associated  
19 with the oral history exhibit including but not  
20 limited to exhibit information technology, computer  
21 connectivity, and interactive display technologies:

22 FY 2014-2015:

23 ..... \$ 500,000

24 2. DEPARTMENT OF EDUCATION

25 a. For maintenance and lease costs associated with  
26 connections for part III of the Iowa communications  
27 network:

28 FY 2014-2015:

29 ..... \$ 2,727,000

30 b. For the continued development and implementation  
31 of an education data warehouse that will be utilized by  
32 teachers, parents, school district administrators, area  
33 education agency staff, department of education staff,  
34 and policymakers:

35 FY 2014-2015:

36 ..... \$ 600,000

37 The department may use a portion of the moneys  
38 appropriated in this lettered paragraph for an  
39 e-transcript data system capable of tracking students  
40 throughout their education via interconnectivity with  
41 multiple schools.

42 c. For the development of an automated workflow  
43 process for a program and common course numbering  
44 management system for community colleges:

45 FY 2014-2015:

46 ..... \$ 150,000

47 d. To the public broadcasting division for the  
48 replacement of equipment and for tower and facility  
49 maintenance:

50 FY 2014-2015:

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1 ..... \$ 1,000,000  
2 3. DEPARTMENT OF HUMAN RIGHTS  
3 a. For the cost of equipment and computer software  
4 for the implementation of Iowa's criminal justice  
5 information system:  
6 FY 2014-2015:  
7 ..... \$ 1,300,000  
8 b. For costs associated with the justice enterprise  
9 data warehouse:  
10 FY 2014-2015:  
11 ..... \$ 314,474  
12 4. IOWA TELECOMMUNICATIONS AND TECHNOLOGY  
13 COMMISSION  
14 For replacement of equipment for the Iowa  
15 communications network:  
16 FY 2014-2015:  
17 ..... \$ 2,245,653  
18 The commission may continue to enter into contracts  
19 pursuant to section 8D.13 for the replacement of  
20 equipment and for operation and maintenance costs of  
21 the network.  
22 In addition to moneys appropriated in this  
23 subsection, the commission may use a financing  
24 agreement entered into by the treasurer of state in  
25 accordance with section 12.28 for the replacement  
26 of equipment for the network. For purposes of this  
27 subsection, the treasurer of state is not subject to  
28 the maximum principal limitation contained in section  
29 12.28, subsection 6. Repayment of any amounts financed  
30 shall be made from receipts associated with fees  
31 charged for use of the network.  
32 5. DEPARTMENT OF MANAGEMENT  
33 For completion of a comprehensive electronic  
34 management system:  
35 FY 2014-2015:  
36 ..... \$ 100,000  
37 6. DEPARTMENT OF PUBLIC HEALTH  
38 For costs associated with the establishment of a  
39 data registry software system for the collection of  
40 data elements related to emergency management system  
41 services or hospital emergency care:  
42 FY 2014-2015:  
43 ..... \$ 150,000  
44 7. OFFICE OF THE CHIEF INFORMATION OFFICER  
45 For technology consolidation and technology  
46 improvement projects approved by the state chief  
47 information officer pursuant to chapter 8B:  
48 FY 2014-2015:  
49 ..... \$ 7,728,189  
50 Sec. 4. REVERSION. For purposes of section 8.33,

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1 unless specifically provided otherwise, unencumbered  
2 or unobligated moneys made from an appropriation in  
3 this division of this Act shall not revert but shall  
4 remain available for expenditure for the purposes  
5 designated until the close of the fiscal year that ends  
6 three years after the end of the fiscal year for which  
7 the appropriation was made. However, if the project  
8 or projects for which such appropriation was made are  
9 completed in an earlier fiscal year, unencumbered or  
10 unobligated moneys shall revert at the close of that  
11 same fiscal year.

12 DIVISION III

13 IOWA COMMUNICATIONS NETWORK — CONTRACTS

14 Sec. 5. IOWA COMMUNICATIONS NETWORK —  
15 AUTHORIZATION FOR CONTRACTS. Pursuant to section  
16 8D.11, subsection 1, paragraph "a", the general  
17 assembly authorizes the Iowa telecommunications  
18 and technology commission to enter into a contract  
19 or contracts in excess of the contract limitation  
20 amount established in section 8D.11, subsection  
21 1, paragraph "c", for purposes of the commission's  
22 network managed services request for proposals process.  
23 This authorization applies for the duration of the  
24 commission's project and to all affected contracts  
25 associated with the project, whether or not the award  
26 is made to a single vendor or multiple vendors.

27 DIVISION IV

28 CHANGES TO PRIOR APPROPRIATIONS

29 Sec. 6. 2007 Iowa Acts, chapter 219, section 2, as  
30 amended by 2011 Iowa Acts, chapter 133, section 32,  
31 2012 Iowa Acts, chapter 1138, section 10, and 2013 Iowa  
32 Acts, chapter 142, section 40, is amended to read as  
33 follows:

34 SEC. 2. REVERSION.

35 1. Except as provided in subsection 2 and  
36 notwithstanding section 8.33, moneys appropriated  
37 for the fiscal year beginning July 1, 2007, in this  
38 division of this Act that remain unencumbered or  
39 unobligated at the close of the fiscal year shall not  
40 revert but shall remain available for the purposes  
41 designated until the close of the fiscal year that  
42 begins July 1, 2010, or until the project for which  
43 the appropriation was made is completed, whichever is  
44 earlier.

45 2. a. Notwithstanding section 8.33, moneys  
46 appropriated in section 1, subsection 1, paragraphs  
47 "a" and "f" of this division of this Act that remain  
48 unencumbered or unobligated at the close of the fiscal  
49 year for which they were appropriated shall not revert  
50 but shall remain available for the purposes designated

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1 until the close of the fiscal year that begins July  
2 1, ~~2013~~ 2014, or until the project for which the  
3 appropriation was made is completed, whichever is  
4 earlier.

5 b. The department of administrative services  
6 is authorized to provide for the disposition and  
7 relocation of structures located at 707 east locust  
8 and 709 east locust, Des Moines, Iowa, in a manner as  
9 deemed appropriate by the department. The disposition  
10 of the structures, if possible, shall be completed in  
11 a manner that reduces or eliminates the costs of the  
12 state associated with the removal of the structures  
13 from their current locations. Any amount received from  
14 the disposition of the structures as permitted under  
15 this section shall be retained by the department to pay  
16 for improvement costs associated with the restoration  
17 of the west capitol terrace. The department, if unable  
18 to otherwise dispose of the structures, is authorized  
19 to demolish the structures using other appropriate  
20 funding available to the department.

21 Sec. 7. 2010 Iowa Acts, chapter 1184, section 12,  
22 is amended to read as follows:

23 SEC. 12. REVERSION.

24 1. For Except as otherwise provided in subsections  
25 2 and 3, for purposes of section 8.33, unless  
26 specifically provided otherwise, unencumbered or  
27 unobligated moneys made from an appropriation in this  
28 division of this Act shall not revert but shall remain  
29 available for expenditure for the purposes designated  
30 until the close of the fiscal year that ends three  
31 years after the end of the fiscal year for which the  
32 appropriation was made. However, if the project or  
33 projects for which such appropriation was made are  
34 completed in an earlier fiscal year, unencumbered or  
35 unobligated moneys shall revert at the close of that  
36 same fiscal year.

37 2. For purposes of section 8.33, unencumbered or  
38 unobligated moneys from moneys appropriated in section  
39 10, subsection 2, paragraphs "a", "c", and "d", and  
40 subsection 4, paragraph "a", subparagraph (10), in this  
41 division of this 2010 Act shall not revert but shall  
42 remain available for the purposes designated until the  
43 close of the fiscal year that begins July 1, 2014, or  
44 until the projects for which the appropriations were  
45 made are completed, whichever is earlier.

46 3. For purposes of section 8.33, unencumbered or  
47 unobligated moneys from moneys appropriated in section  
48 10, subsection 7, paragraph "a", of this division  
49 of this 2010 Act shall not revert but shall remain  
50 available for the purposes designated until the close



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1 of the fiscal year that begins July 1, 2015, or until  
2 the project for which the appropriation was made is  
3 completed, whichever is earlier.

4 Sec. 8. 2011 Iowa Acts, chapter 133, section 1,  
5 subsection 10, paragraphs c through f, as amended by  
6 2012 Iowa Acts, chapter 1140, section 15, are amended  
7 to read as follows:

8 c. For projects for immediate fire safety needs  
9 and for compliance with the federal Americans with  
10 Disabilities Act, at the regents institutions:

11 FY 2011-2012.....	\$ 2,000,000
12 FY 2012-2013.....	\$ 2,000,000

13 Of the amounts appropriated in this lettered  
14 paragraph, up to \$2,000,000 may be used to fund  
15 deductibles on property insurance and to provide  
16 the necessary match for funds which may be available  
17 from the federal emergency management agency for the  
18 cleanup, repair, and restoration of facilities at the  
19 state school for the deaf and the Iowa braille and  
20 sight saving school due to storm damage in the calendar  
21 year 2011, notwithstanding section 8.57, subsection 6,  
22 paragraph "c".

23 d. For construction, renovation, and related  
24 improvements for phase II of the agricultural and  
25 biosystems engineering complex, including classrooms,  
26 laboratories, and offices at Iowa state university of  
27 science and technology:

28 FY 2011-2012.....	\$ 1,000,000
29 FY 2012-2013.....	\$ 19,050,000
30 FY 2013-2014.....	\$ 21,750,000
31 FY 2014-2015.....	\$ <del>18,600,000</del>
32	0

33 e. For the renovation and related improvements to  
34 the dental science building at the state university  
35 of Iowa including but not limited to renovation of  
36 clinical spaces and development of a multidisciplinary  
37 clinical area:

38 FY 2011-2012.....	\$ 1,000,000
39 FY 2012-2013.....	\$ 10,250,000
40 FY 2013-2014.....	\$ 9,750,000
41 FY 2014-2015.....	\$ <del>8,000,000</del>
42	0

43 f. For renovation and related improvements for  
44 Bartlett hall at the university of northern Iowa  
45 including providing faculty offices, seminar rooms,  
46 and laboratories in the building and the associated  
47 demolition of Baker hall:

48 FY 2011-2012.....	\$ 1,000,000
49 FY 2012-2013.....	\$ 7,786,000
50 FY 2013-2014.....	\$ 10,267,000

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1 FY 2014-2015..... \$ ~~1,947,000~~  
2 0  
3 Sec. 9. 2011 Iowa Acts, chapter 133, section 3,  
4 subsection 8, paragraph a, as amended by 2012 Iowa  
5 Acts, chapter 1140, section 18, is amended to read as  
6 follows:  
7 a. For the provision of a statewide public safety  
8 radio network and the purchase of compatible radio  
9 communications equipment with the goal of achieving  
10 compliance with the federal communications commission's  
11 narrowbanding mandate deadline, and for achieving  
12 "interoperability", as defined in section 80.28:  
13 FY 2011-2012..... \$ 2,500,000  
14 FY 2012-2013..... \$ ~~2,500,000~~  
15 700,000  
16 FY 2013-2014..... \$ ~~2,500,000~~  
17 1,800,000  
18 Of the amounts appropriated in this lettered  
19 paragraph, the department of public safety may  
20 enter into a public-private partnership, through a  
21 competitive bidding process, for the provision of  
22 the statewide network and the purchase of compatible  
23 equipment.  
24 As a condition of this appropriation, all land  
25 mobile radio communications equipment purchased by the  
26 department of public safety shall be compliant with  
27 the federal communications commission's narrowbanding  
28 mandate and shall provide the maximum amount of  
29 statewide coverage and interoperability, throughout  
30 all phases of migration, to the department of public  
31 safety's future statewide digital radio network  
32 utilizing P-25 standards.  
33 On or before January 13, 2012, the department of  
34 public safety shall provide a report to the legislative  
35 services agency and the department of management.  
36 The report shall detail the status of the funds  
37 appropriated in this subsection and shall include  
38 the estimated needs of the departments of public  
39 safety, corrections, and natural resources to achieve  
40 interoperability and to meet the federal narrowbanding  
41 mandate, any changes in estimated costs to meet those  
42 needs, and the status of requests for proposals to  
43 develop a public-private partnership.  
44 Sec. 10. 2012 Iowa Acts, chapter 1138, section 89,  
45 is amended to read as follows:  
46 SEC. 89. DEPARTMENT OF NATURAL RESOURCES —  
47 ECONOMIC EMERGENCY FUND. There is appropriated from  
48 the Iowa economic emergency fund to the department of  
49 natural resources for the fiscal year beginning July 1,  
50 2011, and ending June 30, 2012, the following amount,

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1 or so much thereof as is necessary, to be used for the  
2 purposes designated, notwithstanding section 8.55,  
3 subsection 1:  
4 For the repair of damages due to the flooding of the  
5 Missouri river during the calendar year 2011 in the  
6 Lewis and Clark, lake Manawa, and Wilson island state  
7 parks and recreation area:  
8 ..... \$ 2,865,743  
9 For purposes of section 8.33, unless specifically  
10 provided otherwise, unencumbered or unobligated  
11 moneys remaining from the appropriation made in this  
12 section shall not revert but shall remain available for  
13 expenditure for the purposes designated until the close  
14 of the fiscal year that ends ~~two~~ three years after the  
15 end of the fiscal year for which the appropriation is  
16 made. However, if the project or projects for which  
17 the appropriation was made are completed in an earlier  
18 fiscal year, unencumbered or unobligated moneys shall  
19 revert at the close of that same fiscal year.  
20 Sec. 11. 2013 Iowa Acts, chapter 142, section  
21 1, subsection 1, paragraph a, is amended to read as  
22 follows:  
23 a. For projects related to major repairs and major  
24 maintenance for state buildings and facilities:  
25 FY 2013-2014:  
26 ..... \$ 4,000,000  
27 Of the amount appropriated in this lettered  
28 paragraph for the fiscal year beginning July 1, 2013,  
29 \$250,000 shall be allocated for the disposition and  
30 relocation of structures located at 707 east locust and  
31 709 east locust, Des Moines, Iowa.  
32 FY 2014-2015:  
33 ..... \$ ~~14,000,000~~  
34 37,300,000  
35 Sec. 12. 2013 Iowa Acts, chapter 142, section 1, is  
36 amended by adding the following new subsection:  
37 NEW SUBSECTION. 4A. DEPARTMENT OF HUMAN SERVICES  
38 For the renovation and construction of certain  
39 nursing facilities, consistent with the provisions of  
40 chapter 249K:  
41 FY 2013-2014:  
42 ..... \$ 150,000  
43 Sec. 13. 2013 Iowa Acts, chapter 142, section 3,  
44 subsection 1, is amended by striking the subsection.  
45 Sec. 14. EFFECTIVE UPON ENACTMENT. This division  
46 of this Act, being deemed of immediate importance,  
47 takes effect upon enactment.  
48 DIVISION V  
49 MISCELLANEOUS CODE CHANGES  
50 Sec. 15. Section 8.57, subsection 5, paragraph c,

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1 Code 2014, is amended to read as follows:  
2     ~~c.~~ Moneys in the rebuild Iowa infrastructure fund  
3 in a fiscal year shall be used as directed by the  
4 general assembly for public vertical infrastructure  
5 projects. For the purposes of this subsection,  
6 *"vertical infrastructure"* includes only land acquisition  
7 and construction; major renovation and major repair  
8 of buildings; ~~routine, recurring maintenance~~; all  
9 appurtenant structures; utilities; site development;  
10 recreational trails; and debt service payments on  
11 academic revenue bonds issued in accordance with  
12 chapter 262A for capital projects at board of regents  
13 institutions. *"Vertical infrastructure"* does not  
14 include ~~routine, recurring maintenance or~~ operational  
15 expenses or leasing of a building, appurtenant  
16 structure, or utility without a lease-purchase  
17 agreement.  
18     Sec. 16. Section 8.57, subsection 5, paragraph f,  
19 Code 2014, is amended to read as follows:  
20     ~~f.~~ (1) (a) For the fiscal year beginning July  
21 1, 2013, and for each fiscal year thereafter until  
22 the principal and interest on all bonds issued by  
23 the treasurer of state pursuant to section 12.87 are  
24 paid, as determined by the treasurer of state, of the  
25 wagering tax receipts received pursuant to sections  
26 99D.17 and 99F.11, the first fifty-five million dollars  
27 shall be deposited in the revenue bonds debt service  
28 fund created in section 12.89, and the next three  
29 million seven hundred fifty thousand dollars shall be  
30 deposited in the revenue bonds federal subsidy holdback  
31 fund created in section 12.89A.  
32     (b) For the fiscal year beginning July 1, 2013,  
33 and for each fiscal year through the fiscal year  
34 beginning July 1, 2019, of the wagering tax receipts  
35 received pursuant to sections 99D.17 and 99F.11, the  
36 next fifteen million dollars shall be deposited in the  
37 vision Iowa fund created in section 12.72.  
38     ~~(c) For the fiscal year beginning July 1, 2013, and~~  
39 ~~for each fiscal year thereafter until the principal and~~  
40 ~~interest on all bonds issued by the treasurer of state~~  
41 ~~pursuant to section 12.81 are paid, as determined by~~  
42 ~~the treasurer of state, of the wagering tax receipts~~  
43 ~~received pursuant to sections 99D.17 and 99F.11, the~~  
44 ~~next five million dollars shall be deposited in the~~  
45 ~~school infrastructure fund created in section 12.82.~~  
46     ~~(d)~~ (c) For the fiscal year beginning July 1,  
47 2013, and for each fiscal year thereafter, of the  
48 wagering tax receipts received pursuant to sections  
49 99D.17 and 99F.11, the next sixty-six million dollars  
50 shall be deposited in the Iowa skilled worker and job

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1 creation fund created in section 8.75.  
2 ~~(e)~~ (d) For the fiscal year beginning July 1,  
3 2013, and for each fiscal year thereafter, the total  
4 moneys in excess of the moneys deposited under this  
5 paragraph ~~"f"~~ in the revenue bonds debt service fund,  
6 the revenue bonds federal subsidy holdback fund, the  
7 vision Iowa fund, ~~the school infrastructure fund,~~  
8 and the Iowa skilled worker and job creation fund  
9 shall be deposited in the rebuild Iowa infrastructure  
10 fund and shall be used as provided in this section,  
11 notwithstanding section 8.60.  
12 (2) For the fiscal year beginning July 1, 2013, and  
13 for each fiscal year thereafter, if the total amount of  
14 the wagering tax receipts received pursuant to sections  
15 99D.17 and 99F.11, and to be deposited pursuant  
16 to subparagraph (1), subparagraph division (a), is  
17 less than the total amount of moneys directed to be  
18 deposited in the revenue bonds debt service fund and  
19 the revenue bonds federal subsidy holdback fund in the  
20 fiscal year pursuant to subparagraph (1), subparagraph  
21 division (a), the difference shall be paid from moneys  
22 deposited in the beer and liquor control fund created  
23 in section 123.53 in the manner provided in section  
24 123.53, subsection 3.  
25 (3) For the fiscal year beginning July 1, 2013,  
26 and for each fiscal year thereafter, after the deposit  
27 of moneys directed to be deposited in the revenue  
28 bonds debt service fund and the revenue bonds federal  
29 subsidy holdback fund, as provided in subparagraph (1),  
30 subparagraph division (a), if the total amount of the  
31 wagering tax receipts received pursuant to sections  
32 99D.17 and 99F.11, and to be deposited pursuant to  
33 subparagraph (1), ~~subparagraph divisions~~ division  
34 ~~(b) and (e)~~, is less than the total amount of moneys  
35 directed to be deposited in the vision Iowa fund ~~and~~  
36 ~~the school infrastructure fund~~ in the fiscal year  
37 pursuant to subparagraph (1), ~~subparagraph divisions~~  
38 division (b) ~~and (e)~~, the difference shall be paid from  
39 lottery revenues in the manner provided in section  
40 99G.39, subsection 3.  
41 Sec. 17. Section 8.57C, subsection 3, paragraph a,  
42 Code 2014, is amended to read as follows:  
43 a. There is appropriated from the general fund of  
44 the state for the fiscal year beginning July 1, ~~2014~~  
45 2015, and for each subsequent fiscal year thereafter,  
46 the sum of seventeen million five hundred thousand  
47 dollars to the technology reinvestment fund.  
48 Sec. 18. Section 8.57C, subsection 3, Code 2014, is  
49 amended by adding the following new paragraph:  
50 NEW PARAGRAPH. f. There is appropriated from the

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1 rebuild Iowa infrastructure fund for the fiscal year  
2 beginning July 1, 2014, and ending June 30, 2015,  
3 the sum of sixteen million seven hundred twenty-five  
4 thousand dollars to the technology reinvestment fund,  
5 notwithstanding section 8.57, subsection 5, paragraph  
6 "c".

7 DIVISION VI

8 STATUTE OF REPOSE PERIODS — IMPROVEMENTS TO REAL  
9 PROPERTY

10 Sec. 19. Section 614.1, subsection 11, Code 2014,  
11 is amended to read as follows:

12 11. *Improvements to real property.*

13 *a. Residential construction.* In addition to  
14 limitations contained elsewhere in this section, an  
15 action arising out of the unsafe or defective condition  
16 of an improvement to ~~real property~~ residential  
17 construction based on tort and implied warranty and  
18 for contribution and indemnity, and founded on injury  
19 to property, real or personal, or injury to the person  
20 or wrongful death, shall not be brought more than  
21 fifteen years after the date on which occurred the act  
22 or omission of the defendant alleged in the action to  
23 have been the cause of the injury or death. However,  
24 this subsection does not bar an action against a person  
25 solely in the person's capacity as an owner, occupant,  
26 or operator of an improvement to real property.

27 *b. Nonresidential construction.* In addition to  
28 limitations contained elsewhere in this section, an  
29 action arising out of the unsafe or defective condition  
30 of an improvement to nonresidential construction based  
31 on tort and implied warranty and for contribution and  
32 indemnity, and founded on injury to property, real or  
33 personal, or injury to the person or wrongful death,  
34 shall not be brought more than ten years after the date  
35 on which occurred the act or omission of the defendant  
36 alleged in the action to have been the cause of the  
37 injury or death. However, this subsection does not  
38 bar an action against a person solely in the person's  
39 capacity as an owner, occupant, or operator of an  
40 improvement to real property.

41 Sec. 20. Section 614.13A, Code 2014, is amended to  
42 read as follows:

43 614.13A Definitions.

44 As used in this chapter, unless the context  
45 otherwise requires:

46 1. ~~"book"~~ "Book", "list", "record", or "schedule"  
47 kept by a county auditor, assessor, treasurer,  
48 recorder, sheriff, or other county officer means the  
49 county system as defined in section 445.1.

50 2. "Nonresidential construction" means all other



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1 construction that is not residential construction as  
2 defined in subsection 3.  
3 3. "Residential construction" means the same as  
4 defined in section 572.1, subsection 10.  
5 Sec. 21. APPLICABILITY. This division of this  
6 Act does not apply to residential and nonresidential  
7 construction projects in existence prior to the  
8 effective date of this division of this Act.>  
9 2. Title page, line 1, by striking <and> and  
10 inserting <state finances by>  
11 3. Title page, line 4, after <fund,> by inserting  
12 <providing for certain statute of repose periods,>  
13 4. Title page, line 5, after <date> by inserting  
14 <and applicability>



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House File 2456

S-5154

- 1 Amend House File 2456, as amended, passed, and  
2 reprinted by the House, as follows:  
3 1. Page 1, line 9, by striking <change> and  
4 inserting <increase>  
5 2. Page 3, by striking lines 18 through 23 and  
6 inserting <for a period of at least twenty consecutive  
7 years, the board of directors of the merged area may,  
8 by resolution adopted at any time before the end of the  
9 most recently authorized period of time for imposing  
10 the tax, continue to impose the voted>  
11 3. Page 3, line 24, by striking <a period> and  
12 inserting <an additional period>  
13 4. Page 3, line 32, by striking <changed> and  
14 inserting <increased>  
15 5. Page 4, line 4, by striking <change> and  
16 inserting <increase>  
17 6. Page 4, line 9, after <ballot> by inserting <and  
18 received by the board of directors by June 1 of the  
19 year in which the election is to be held>  
20 7. Page 4, line 21, after <subsection 1.> by  
21 inserting <If the question of whether to discontinue  
22 the authority of the board of directors to impose the  
23 tax fails to gain approval at election, the question  
24 shall not be submitted to the voters of the merged area  
25 for a period of ten years following the date of the  
26 election.>  
27 8. Page 4, line 22, by striking <change> and  
28 inserting <increase>  
29 9. Page 4, line 23, by striking <change> and  
30 inserting <increase>  
31 10. Page 5, line 19, by striking <a period> and  
32 inserting <an additional period>  
33 11. Page 6, line 13, after <paragraph "a".> by  
34 inserting <If the question of whether to discontinue  
35 the authority of the board of directors to impose the  
36 additional tax fails to gain approval at election, the  
37 question shall not be submitted to the voters of the  
38 merged area for a period of ten years following the  
39 date of the election.>  
40 12. By renumbering, redesignating, and correcting  
41 internal references as necessary.

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COMMITTEE ON WAYS AND MEANS  
JOE BOLKCOM, CHAIRPERSON

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Senate File 2239

S-5155

- 1 Amend the House amendment, S-5092, to Senate File  
2 2239, as amended, passed, and reprinted by the Senate,  
3 as follows:  
4 1. Page 1, lines 15 and 16, by striking <all or a  
5 substantial portion of>  
6 2. Page 1, by striking lines 24 and 25 and  
7 inserting:  
8 <(1) Physical injury to, or injury which is at  
9 a variance with the history given of the injury, or  
10 unreasonable confinement, unreasonable punishment, or  
11 assault of a vulnerable elder.>  
12 3. Page 1, line 29, by striking <substantial>  
13 4. By striking page 2, line 50, through page 3,  
14 line 3, and inserting:  
15 <\_\_\_\_. "Vulnerable elder" means a person sixty  
16 years of age or older who is more vulnerable to or  
17 at increased risk of elder abuse than other persons  
18 because of age, poor health, infirmity, impaired  
19 understanding, restricted mobility, isolation, or  
20 disability.>  
21 5. Page 4, by striking lines 21 through 25.  
22 6. Page 4, line 28, by striking <The> and inserting  
23 <By July 1, 2015, the>  
24 7. Page 4, by striking lines 31 and 32 and  
25 inserting <se in actions under this chapter.>  
26 8. Page 4, line 33, by striking <Standard> and  
27 inserting <Beginning July 1, 2015, the standard>  
28 9. Page 9, lines 27 and 28, by striking <for the  
29 person's own benefit or gain>  
30 10. Page 11, by striking lines 12 through 16.  
31 11. Page 11, by striking lines 24 through 49.  
32 12. Page 12, after line 12 by inserting:  
33 <Sec. \_\_\_\_\_. Section 235B.7, subsection 3, Code 2014,  
34 is amended to read as follows:  
35 3. Subsections 1 and 2 do not apply to dependent  
36 adult abuse information that is disseminated to an  
37 employee of the department or to the office of the  
38 attorney representing the department general as  
39 authorized by section 235B.6.>  
40 13. By striking page 14, line 5, through page 15,  
41 line 11.  
42 14. Page 17, by striking lines 20 through 26.  
43 15. By striking page 17, line 48, through page 18,  
44 line 20.  
45 16. Page 18, line 29, after <appeals,> by inserting  
46 <department of public health,>  
47 17. By renumbering as necessary.

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MARY JO WILHELM



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**Senate File 2353 - Introduced**

SENATE FILE 2353  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 2317)  
(SUCCESSOR TO SSB 3052)

**A BILL FOR**

1 An Act relating to the jobs training and apprenticeship  
2 programs and making appropriations.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 15.108, subsection 6, paragraph a, Code  
2 2014, is amended to read as follows:

3 a. Coordinate and perform the duties specified under the  
4 Iowa industrial new jobs training Act in chapter 260E, ~~the~~  
5 ~~Iowa jobs training Act in chapter 260F, and the workforce~~  
6 ~~development fund in section 15.341.~~

7 Sec. 2. NEW SECTION. 256.91 Workforce development fund  
8 account.

9 A workforce development fund account is established in  
10 the office of the treasurer of state under the control of  
11 the department. The account shall receive funds pursuant to  
12 section 422.16A up to a maximum of six million dollars per  
13 year.

14 Sec. 3. NEW SECTION. 256.92 Workforce development fund.

15 1. a. A workforce development fund is created as a  
16 revolving fund in the state treasury under the control of the  
17 department consisting of any moneys appropriated by the general  
18 assembly for that purpose and any other moneys available to  
19 and obtained or accepted by the department from the federal  
20 government or private sources for placement in the fund. The  
21 fund shall also include moneys appropriated to the fund from  
22 the workforce development fund account established in section  
23 256.91.

24 b. Notwithstanding section 8.33, moneys in the workforce  
25 development fund at the end of each fiscal year shall not  
26 revert to any other fund but shall remain in the workforce  
27 development fund for expenditure for subsequent fiscal years.

28 2. The assets of the fund shall be used by the department  
29 for the following programs and purposes:

30 a. Projects under chapter 260F.

31 b. Apprenticeship programs under chapter 260J.

32 3. Moneys in the workforce development fund shall be  
33 allocated as follows:

34 a. Three million dollars shall be transferred and deposited  
35 in the job training fund created in section 260F.6 to be used

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1 for the purposes provided in chapter 260F.

2     *b.* Three million dollars shall be transferred and deposited  
3 in the apprenticeship training program fund created in section  
4 260J.3 to be used for the purposes provided in chapter 260J.

5     Sec. 4. Section 260C.18A, subsection 2, paragraph b, Code  
6 2014, is amended to read as follows:

7     *b.* Projects in which an agreement between a community  
8 college and a business meet all the requirements of the Iowa  
9 jobs training Act under chapter 260F. ~~However, projects funded~~  
10 ~~by moneys provided by a local workforce training and economic~~  
11 ~~development fund of a community college are not subject to~~  
12 ~~the maximum advance or award limitations contained in section~~  
13 ~~260F.6, subsection 2, or the allocation limitations contained~~  
14 ~~in section 260F.8, subsection 1.~~

15     Sec. 5. Section 260F.2, subsection 2, Code 2014, is amended  
16 by striking the subsection.

17     Sec. 6. Section 260F.2, subsections 4, 5, 10, and 11, Code  
18 2014, are amended to read as follows:

19     4. "*Date of commencement of the project*" means the date of  
20 the preliminary signed agreement ~~or the date an application for~~  
21 ~~assistance is received by the authority.~~

22     5. "*Eligible business*" or "*business*" means a business  
23 training employees which is engaged in interstate or intrastate  
24 commerce for the purpose of manufacturing, processing, or  
25 assembling products, conducting research and development,  
26 commercial construction, or providing services in interstate  
27 commerce including electronic commerce, but excludes retail,  
28 health, or professional services and which meets the other  
29 criteria established by the authority department. "*Eligible*  
30 *business*" does not include a business whose training costs can  
31 be economically funded under chapter 260E, a business which  
32 closes or substantially reduces its employment base in order  
33 to relocate substantially the same operation to another area  
34 of the state, or a business which is involved in a strike,  
35 lockout, or other labor dispute in Iowa.

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- 1     10. "Program services" includes but is not limited to the  
2 following:  
3     a. Training of employees.  
4     b. Adult basic education and job-related instruction.  
5     c. Vocational and skill-assessment services and testing.  
6     d. Training facilities, equipment, materials, and supplies.  
7     e. Administrative expenses incurred by community colleges  
8 for the jobs training program, in an amount not to exceed five  
9 percent of the total project cost.  
10    f. Subcontracted services with institutions governed by the  
11 state board of regents, private colleges or universities, or  
12 other federal, state, or local agencies.  
13    g. Contracted or professional services.  
14    11. "Project" means a training arrangement which is the  
15 subject of an agreement entered into between the community  
16 college and a business to provide program services. "Project"  
17 ~~also means an authority-sponsored training arrangement which~~  
18 ~~is sponsored by the authority and administered under sections~~  
19 ~~260F.6A and 260F.6B.~~  
20    Sec. 7. Section 260F.2, Code 2014, is amended by adding the  
21 following new subsection:  
22    NEW SUBSECTION. 4A. "Department" means the department of  
23 education.  
24    Sec. 8. Section 260F.3, Code 2014, is amended by adding the  
25 following new subsections:  
26    NEW SUBSECTION. 4A. Type of training to be delivered.  
27    NEW SUBSECTION. 4B. Amount of employer match.  
28    Sec. 9. NEW SECTION. 260F.4 Financial assistance —  
29 restrictions.  
30    1. The maximum award of financial assistance for any one  
31 project is fifty thousand dollars.  
32    2. A business may be approved for multiple projects, but the  
33 total financial assistance award to a business shall not exceed  
34 one hundred thousand dollars within a three-year period.  
35    3. An award of financial assistance does not include

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1 reimbursement to the business for employee wages while the  
2 employee is in training.

3 4. An award of financial assistance is based on the actual  
4 cost of services.

5 5. A business's request for financial assistance shall be  
6 commensurate with training needs.

7 6. Community colleges shall provide financial assistance to  
8 a business on a reimbursement basis or by directly paying for  
9 training expenses from an account administered by the community  
10 college.

11 7. a. A business shall provide a cash match or in-kind  
12 match in order to be eligible for financial assistance pursuant  
13 to this section.

14 b. A business requesting financial assistance of less than  
15 five thousand dollars for a program shall provide an in-kind  
16 match.

17 c. A business requesting financial assistance of five  
18 thousand dollars or more for a program shall provide cash to  
19 pay at least twenty-five percent of the total project cost,  
20 including training and administration costs.

21 d. An in-kind match includes employee wages paid by  
22 the business during the training period, the value of  
23 business-provided facilities and equipment used for training,  
24 or the value of any other resource provided by the business to  
25 facilitate the training program.

26 Sec. 10. NEW SECTION. 260F.5 Community college annual  
27 report.

28 1. Each community college shall submit an annual report  
29 to the department by September 1 documenting the job training  
30 programs funded during the previous fiscal year.

31 2. The report shall address the performance metrics  
32 established by the department for the job training program  
33 pursuant to section 260F.8.

34 3. The report shall be submitted in a manner and form  
35 prescribed by the department.

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1 Sec. 11. Section 260F.6, subsection 1, Code 2014, is amended  
2 to read as follows:

3 1. There is ~~established~~ created for the community colleges  
4 a job training fund ~~in the economic development authority~~  
5 ~~in the workforce development fund~~ to be administered by  
6 the department. The job training fund consists of moneys  
7 appropriated for the purposes of this chapter ~~plus the interest~~  
8 ~~and principal from repayment of advances made to businesses~~  
9 ~~for program costs, plus the repayments, including interest,~~  
10 ~~of loans made from that retraining fund, and interest earned~~  
11 ~~from moneys in the job training fund.~~ Moneys in the fund are  
12 appropriated to the department for purposes of this chapter.

13 Sec. 12. Section 260F.6, subsections 2 and 3, Code 2014,  
14 are amended by striking the subsections and inserting in lieu  
15 thereof the following:

16 2. Moneys in the fund shall be allocated pursuant to the  
17 formula established in 260C.18C. Any unexpended or unallocated  
18 funds remaining in the job training fund allocated for purposes  
19 of the business network training program authorized in section  
20 260F.6A, Code 2014, as of June 30, 2014, shall be distributed  
21 to the community colleges in the manner provided for in this  
22 subsection.

23 3. Notwithstanding section 8.33, moneys in the fund at  
24 the close of the fiscal year shall not revert to the general  
25 fund of the state but shall remain available for expenditure  
26 for the purpose designated for subsequent fiscal years.  
27 Notwithstanding section 12C.7, subsection 2, interest or  
28 earnings on moneys in the fund shall be credited to the fund.

29 Sec. 13. Section 260F.7, Code 2014, is amended to read as  
30 follows:

31 ~~260F.7 Economic development authority~~ Department to  
32 coordinate.

33 ~~The economic development authority, in consultation with~~  
34 ~~the department of education and the department of workforce~~  
35 ~~development,~~ shall coordinate the jobs training program. A

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1 ~~project shall not be funded under this chapter unless the~~  
2 ~~economic development authority approves the project.~~ The  
3 ~~authority~~ department shall adopt rules pursuant to chapter  
4 17A governing the program's operation and eligibility for  
5 participation in the program. The ~~authority~~ department shall  
6 establish by rule criteria for determining what constitutes an  
7 eligible business.

8 Sec. 14. Section 260F.8, Code 2014, is amended by striking  
9 the section and inserting in lieu thereof the following:

10 **260F.8 Program assessment, development, and coordination.**

11 1. The department shall establish performance metrics for  
12 the job training programs funded under this chapter and assess  
13 program outcomes on an annual basis.

14 2. A community college may retain up to ten percent of the  
15 total project cost for the following purposes:

16 *a.* Outreach to employers by community college business and  
17 industry outreach staff.

18 *b.* Monitoring the performance of training agreements and  
19 accountability measures.

20 *c.* Development of training project and program plans.

21 *d.* Business development activities.

22 Sec. 15. NEW SECTION. **260J.1 Title.**

23 This chapter shall be known and may be cited as the "*Iowa*  
24 *Apprenticeship Act*".

25 Sec. 16. NEW SECTION. **260J.2 Definitions.**

26 For purposes of this chapter, unless the context otherwise  
27 requires:

28 1. "*Apprentice*" means a person who is at least sixteen  
29 years of age, except where a higher minimum age is required by  
30 law, who is employed in an apprenticeable occupation, and is  
31 registered in Iowa with the United States department of labor,  
32 office of apprenticeship.

33 2. "*Apprenticeable occupation*" means an occupation approved  
34 for apprenticeship by the United States department of labor,  
35 office of apprenticeship.

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1     3. *"Apprenticeship program"* means a program registered  
2 with the United States department of labor, office of  
3 apprenticeship, which includes terms and conditions for the  
4 qualification, recruitment, selection, employment, and training  
5 of apprentices, including the requirement for a written  
6 apprenticeship agreement.

7     4. *"Apprenticeship sponsor"* means an entity operating  
8 an apprenticeship program or an entity in whose name an  
9 apprenticeship program is being operated, which is registered  
10 with or approved by the United States department of labor,  
11 office of apprenticeship.

12     5. *"Department"* means the department of education.

13     6. *"Financial assistance"* means assistance provided only  
14 from the funds, rights, and assets legally available to the  
15 department and includes but is not limited to assistance in the  
16 forms of grants, loans, forgivable loans, and royalty payments.

17     7. *"Fund"* means the apprenticeship training program fund  
18 created in section 260J.3.

19     8. *"Lead apprenticeship sponsor"* means a trade organization,  
20 labor organization, employer association, or other incorporated  
21 entity representing a group of apprenticeship sponsors.

22     Sec. 17. NEW SECTION. **260J.3 Apprenticeship training**  
23 **program — fund.**

24     1. An apprenticeship training program fund is created in the  
25 state treasury under the control of the department.

26     2. The fund shall consist of moneys deposited in the fund  
27 pursuant to section 256.92, moneys appropriated for purposes  
28 of the apprenticeship training program, and any other moneys  
29 lawfully available to the department for purposes of this  
30 chapter.

31     3. Moneys in the fund are appropriated to the department for  
32 the purposes of this chapter.

33     4. No more than two percent of the total moneys deposited  
34 in the fund on July 1 of a fiscal year is appropriated to the  
35 department for the purposes of administering this chapter.

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1 5. Notwithstanding section 8.33, moneys in the fund at  
2 the close of the fiscal year shall not revert but shall  
3 remain available for expenditure for the purposes designated  
4 for subsequent fiscal years. Notwithstanding section 12C.7,  
5 subsection 2, interest or earnings on moneys in the fund shall  
6 be credited to the fund.

7 Sec. 18. NEW SECTION. 260J.4 Financial assistance for an  
8 apprenticeship program.

9 1. a. An apprenticeship sponsor or lead apprenticeship  
10 sponsor conducting apprenticeship programs in Iowa for  
11 apprentices who will be employed at Iowa worksites may apply to  
12 the department for a training grant or an infrastructure grant,  
13 or both a training grant and an infrastructure grant under this  
14 section.

15 b. Financial assistance received by an apprenticeship  
16 sponsor or lead apprenticeship sponsor under this section shall  
17 be used only for the cost of conducting and maintaining an  
18 apprenticeship program.

19 2. The department shall provide financial assistance  
20 in the form of training grants or infrastructure grants to  
21 apprenticeship sponsors or lead apprenticeship sponsors in the  
22 following manner:

23 a. By determining the total amount of funding allocated  
24 for purposes of training grants or infrastructure grants for  
25 apprenticeship programs pursuant to section 260J.3.

26 b. By adding together all of the following:

27 (1) The total number of apprentices trained by all applying  
28 apprenticeship sponsors or lead apprenticeship sponsors during  
29 the most recent training year as calculated on the last day of  
30 the training year.

31 (2) The total number of contact hours that apprenticeship  
32 instructors for all applying apprenticeship sponsors or lead  
33 apprenticeship sponsors spent in contact with apprentices  
34 during the most recent training year. For purposes of  
35 this subparagraph, "contact hours" includes the time spent

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1 instructing apprentices in person or, in the case of a lead  
2 apprenticeship sponsor with programs totaling one hundred or  
3 more total instructional hours, "*contact hours*" includes the  
4 time spent in online training if the total amount of online  
5 instruction does not account for more than thirty percent of  
6 the total instructional hours.

7     *c.* By adding together all of the following:

8         (1) The total number of apprentices trained by a single  
9 applying apprenticeship sponsor or lead apprenticeship sponsor  
10 during the most recent training year as calculated on the last  
11 day of the training year.

12         (2) The total number of contact hours that apprenticeship  
13 instructors for a single applying apprenticeship sponsor or  
14 lead apprenticeship sponsor spent in contact with apprentices  
15 during the most recent training year. For purposes of  
16 this subparagraph, "*contact hours*" includes the time spent  
17 instructing apprentices in person or, in the case of a lead  
18 apprenticeship sponsor with programs totaling one hundred or  
19 more total instructional hours, "*contact hours*" includes the  
20 time spent in online training if the total amount of online  
21 instruction does not account for more than thirty percent of  
22 the total instructional hours.

23     *d.* By determining the proportion, stated as a percentage,  
24 that a single applying apprenticeship sponsor's or lead  
25 apprenticeship sponsor's total calculated pursuant to paragraph  
26 "*c*" bears to all applying apprenticeship sponsors' or lead  
27 apprenticeship sponsors' total calculated pursuant to paragraph  
28 "*b*".

29     *e.* By multiplying the percentage calculated in paragraph "*d*"  
30 by the amount determined in paragraph "*a*".

31     3. An apprenticeship sponsor or lead apprenticeship sponsor  
32 seeking financial assistance under this section shall provide  
33 the following information to the department:

34         *a.* The federal apprentice registration number of each  
35 apprentice in the apprenticeship program.



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1     *b.* The address and a description of the physical location  
2 where in-person training is conducted.

3     *c.* A certification of the apprenticeship sponsor's training  
4 standards as most recently approved by the United States  
5 department of labor, office of apprenticeship or, in the case  
6 of a lead apprenticeship sponsor, a representative sample of  
7 participating members' training standards.

8     *d.* A certification of the apprenticeship sponsor's  
9 compliance review or quality assessment as most recently  
10 conducted by the United States department of labor, office of  
11 apprenticeship, unless the apprenticeship sponsor has not been  
12 subjected to a compliance review or quality assessment. In the  
13 case of a lead apprenticeship sponsor, a sampling of compliance  
14 reviews or quality assessments from participating members shall  
15 be sufficient.

16     *e.* Any other information the department reasonably  
17 determines is necessary.

18     4. The apprenticeship sponsor or lead apprenticeship  
19 sponsor and the department shall enter into an agreement  
20 regarding the provision of any financial assistance to the  
21 apprenticeship sponsor or lead apprenticeship sponsor.

22     5. Notwithstanding the provisions of this section, an  
23 apprenticeship program receiving funds from section 260F.6 or  
24 other community college funding sources in the fiscal year  
25 beginning July 1, 2013, and ending June 30, 2014, shall receive  
26 no less than that amount from the fund in the fiscal year  
27 beginning July 1, 2014, and ending June 30, 2015.

28     Sec. 19. NEW SECTION. 260J.5 **Apprenticeship training**  
29 **program advisory board.**

30     1. An apprenticeship training program advisory board is  
31 established to advise the department on issues related to  
32 apprenticeship programs supported pursuant to this chapter and  
33 to promote the development of new and the expansion of existing  
34 apprenticeship programs for apprentices who will be employed  
35 at Iowa worksites.

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1     2. The advisory board shall consist of the following  
2 members:  
3     *a.* One member of the master builders of Iowa.  
4     *b.* One member of the associated builders and contractors of  
5 Iowa.  
6     *c.* One member of the technology association of Iowa.  
7     *d.* One member of the Iowa association of business and  
8 industry.  
9     *e.* Five members, one member each from different labor  
10 organizations that are apprenticeship sponsors or lead  
11 apprenticeship sponsors. Five members representing  
12 labor organizations shall serve at a time, but the labor  
13 organizations represented shall rotate with every term.  
14     *f.* One member from the Iowa federation of labor.  
15     *g.* One member representing community college apprenticeship  
16 programs.  
17     *h.* One member representing the Iowa economic development  
18 authority.  
19     *i.* One member representing the department.  
20     *j.* One member of the United States department of labor,  
21 office of apprenticeship, serving as an ex-officio, nonvoting  
22 member.  
23     *k.* Four members of the general assembly serving as  
24 ex officio, nonvoting members, one representative to be  
25 appointed by the speaker of the house of representatives, one  
26 representative to be appointed by the minority leader of the  
27 house of representatives, one senator to be appointed by the  
28 majority leader of the senate, and one senator to be appointed  
29 by the minority leader of the senate.  
30     3. *a.* The voting members of the advisory board and the  
31 member from the United States department of labor, office  
32 of apprenticeship, shall be selected by the named entity or  
33 entities. The members from the labor organizations shall be  
34 selected by the labor organization being represented. The  
35 member representing the community college apprenticeship

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1 programs shall be selected by the Iowa association of community  
2 college trustees.

3     *b.* The voting members of the advisory board and the  
4 member from the United States department of labor, office of  
5 apprenticeship, shall serve three-year staggered terms. If  
6 a vacancy occurs a successor shall be selected in the same  
7 manner and subject to the same qualifications as the original  
8 selection to serve the remainder of the term.

9     *c.* The legislative members of the advisory board shall serve  
10 terms as provided in section 69.16B. A legislative member  
11 may designate another person to attend a board meeting if the  
12 member is unavailable.

13     4. The voting members shall elect a chairperson and  
14 vice chairperson annually from the voting membership of the  
15 advisory board. A majority of the voting members of the board  
16 constitute a quorum. If the chairperson and vice chairperson  
17 are unable to preside over the board due to absence or  
18 disability, a majority of the voting members present may elect  
19 a temporary chairperson providing a quorum is present.

20     Sec. 20. Section 403.21, subsections 1 and 3, Code 2014, are  
21 amended to read as follows:

22     1. In order to promote communication and cooperation among  
23 cities, counties, and community colleges with respect to the  
24 allocation and division of taxes, no jobs training projects  
25 as defined in chapter 260E or ~~260F~~ shall be undertaken within  
26 the area of operation of a municipality after July 1, 1995,  
27 unless the municipality and the community college have entered  
28 into an agreement or have jointly adopted a plan relating  
29 to a community college's new jobs training program which  
30 shall provide for a procedure for advance notification to  
31 each affected municipality, for exchange of information, for  
32 mutual consultation, and for procedural guidelines for all  
33 such new jobs training projects, including related project  
34 financing to be undertaken within the area of operation of the  
35 municipality. The joint agreement or the plan shall state its

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1 precise duration and shall be binding on the community college  
2 and the municipality with respect to all new jobs training  
3 projects, including related project financing undertaken during  
4 its existence. The joint agreement or plan shall be effective  
5 upon adoption and shall be placed on file in the office of the  
6 secretary of the board of directors of the community college  
7 and such other location as may be stated in the joint agreement  
8 or plan. The joint agreement or plan shall also be sent to each  
9 school district which levied or certified for levy a property  
10 tax on any portion of the taxable property located in the area  
11 of operation of the municipality in the fiscal year beginning  
12 prior to the calendar year in which the plan is adopted or  
13 the agreement is reached. If no such agreement is reached or  
14 plan adopted, the community college shall not use incremental  
15 property tax revenues to fund jobs training projects within the  
16 area of operation of the municipality. Agreements entered into  
17 between a community college and a city or county pursuant to  
18 chapter 28E shall not apply.

19 3. ~~The community college shall send a copy of the final~~  
20 ~~agreement prepared pursuant to section 260F.3 to the economic~~  
21 ~~development authority.~~ For each year in which incremental  
22 property taxes are used to retire debt service on a jobs  
23 training advance issued for a project creating new jobs, the  
24 community college shall provide to the economic development  
25 authority a report of the incremental property taxes and new  
26 jobs credits from withholding generated for that year, a  
27 specific description of the training conducted, the number of  
28 employees provided ~~program~~ services under the project, the  
29 median wage of employees in the new jobs in the project, and  
30 the administrative costs directly attributable to the project.

31 Sec. 21. Section 422.16A, Code 2014, is amended to read as  
32 follows:

33 **422.16A Job training withholding — certification and**  
34 **transfer.**

35 Upon the completion by a business of its repayment

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1 obligation for a training project funded under chapter  
2 260E, including a job training project funded under section  
3 15A.8 or repaid in whole or in part by the supplemental new  
4 jobs credit from withholding under section 15A.7 or section  
5 15E.197, the sponsoring community college shall report to  
6 the economic development authority the amount of withholding  
7 paid by the business to the community college during the  
8 final twelve months of withholding payments. The economic  
9 development authority shall notify the department of revenue  
10 of that amount. The department shall credit to the workforce  
11 development fund account established in section ~~15.342A~~ 256.91  
12 twenty-five percent of that amount each quarter for a period  
13 of ten years. If the amount of withholding from the business  
14 or employer is insufficient, the department shall prorate the  
15 quarterly amount credited to the workforce development fund  
16 account. The maximum amount from all employers which shall be  
17 transferred to the workforce development fund account in any  
18 year is ~~four~~ six million dollars.

19 Sec. 22. Section 558.1, Code 2014, is amended to read as  
20 follows:

21 **558.1 "Instruments affecting real estate" defined —**  
22 **revocation.**

23 All instruments containing a power to convey, or in any  
24 manner relating to real estate, including certified copies of  
25 petitions in bankruptcy with or without the schedules appended,  
26 of decrees of adjudication in bankruptcy, and of orders  
27 approving trustees' bonds in bankruptcy, and a jobs training  
28 agreement entered into under chapter 260E ~~or~~ ~~260F~~ between an  
29 employer and community college which contains a description  
30 of the real estate affected, shall be held to be instruments  
31 affecting the same; and no such instrument, when acknowledged  
32 or certified and recorded as in this chapter prescribed, can be  
33 revoked as to third parties by any act of the parties by whom it  
34 was executed, until the instrument containing such revocation  
35 is acknowledged and filed for record in the same office in

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1 which the instrument containing such power is recorded, except  
2 that uniform commercial code financing statements and financing  
3 statement changes as provided in chapter 554 need not be thus  
4 acknowledged.

5 Sec. 23. REPEAL. Sections 15.341, 15.342, 15.342A, 15.343,  
6 15.344, 260F.6A, and 260F.6B, Code 2014, are repealed.

7 Sec. 24. RULES. The department of education shall adopt  
8 rules to administer this Act.

9 Sec. 25. TRANSFER OF FUNDS.

10 1. All moneys in the workforce development fund account,  
11 established in section 15.342A, as of the effective date of  
12 this Act and any moneys accruing to the workforce development  
13 fund account, established in section 15.342A, after the  
14 effective date of this Act, shall be transferred to the  
15 workforce development fund account established in section  
16 256.91, as enacted in this Act.

17 2. All moneys in the workforce development fund, created in  
18 section 15.343, as of the effective date of this Act and any  
19 moneys accruing to the workforce development fund, created in  
20 section 15.343, after the effective date of this Act, shall be  
21 transferred to the workforce development fund established in  
22 section 256.92, as enacted in this Act.

23 Sec. 26. TRANSITION PROVISIONS.

24 1. A financial assistance award made or provided for in an  
25 agreement entered into pursuant to section 260F.3 prior to the  
26 effective date of this Act shall continue as provided in such  
27 agreement.

28 2. Loan payments or repayments and recaptures of principal,  
29 interest, or other moneys accruing on or after July 1, 2014,  
30 pursuant to an agreement under section 260F.3, as in effect  
31 prior to July 1, 2014, shall be transferred to the job training  
32 fund created in section 260F.6, as amended by this Act.

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with  
35 the explanation's substance by the members of the general assembly.

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1 This bill relates to changes to the job training program and  
2 fund under Code chapter 260F and establishes an apprenticeship  
3 program under new Code chapter 260J.

4 WORKFORCE DEVELOPMENT FUND. The bill amends the workforce  
5 development fund account and the workforce development fund by  
6 eliminating the funds as the funds exist under the economic  
7 development authority ("authority") and transferring the moneys  
8 remaining in the fund and moneys accruing to the fund after  
9 the effective date of the bill into the newly established  
10 workforce development fund account and workforce development  
11 fund, respectively, controlled by the department of education.  
12 The job training withholding moneys currently transferred to  
13 the workforce development account under the authority will  
14 be transferred pursuant to the bill to the newly established  
15 workforce development fund account under the department of  
16 education. The bill also raises the cap on the withholding  
17 amount to be transferred from \$4 million to \$6 million. The  
18 moneys in the workforce development fund under the department  
19 of education shall be used for purposes of funding projects for  
20 jobs training under Code chapter 260F as amended by the bill  
21 and for apprenticeship programs under new Code chapter 260J  
22 under the bill. Three million dollars is allocated to each  
23 purpose and shall be transferred to the job training fund and  
24 the apprenticeship training program fund.

25 The bill repeals provisions related to the workforce  
26 development fund program operated by the authority.

27 JOBS TRAINING PROGRAM. The bill amends the jobs training  
28 program and job training fund under Code chapter 260F.  
29 Currently, a business and the community college enter into an  
30 agreement to establish a project and the authority accepts  
31 applications for assistance, sets the criteria for whether a  
32 business is eligible for assistance under the program, and  
33 coordinates the jobs training program. The bill amends these  
34 provisions by no longer requiring the business to submit  
35 an application to the authority, allowing the department

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1 of education to set the criteria for whether a business is  
2 eligible for assistance, and requiring the department of  
3 education to coordinate the jobs training program.

4 The bill amends the job training fund by establishing  
5 the fund under the state treasury rather than within the  
6 workforce development fund and transferring the authority over  
7 the fund from the authority to the department of education.  
8 The bill provides that the moneys in the jobs training fund  
9 are appropriated to and shall be allocated to community  
10 colleges through a formula established in the chapter related  
11 to community colleges. The bill also provides that moneys  
12 remaining in the job training fund for the business network  
13 training program shall be distributed through this same  
14 formula.

15 The bill strikes the definition of "authority" and defines  
16 "department" as the department of education in Code chapter  
17 260F. The bill amends the definition of "eligible business"  
18 in the Code chapter to include commercial construction or a  
19 business providing services through electronic commerce in  
20 interstate commerce.

21 The bill provides that the maximum financial assistance  
22 under the jobs training program is \$50,000 for any one project  
23 and \$100,000 for any business during a three-year period. The  
24 bill also requires a business to provide a cash match or an  
25 in-kind match to be eligible for financial assistance under the  
26 jobs training program.

27 The bill requires each community college to submit an  
28 annual report about the jobs training programs funded during  
29 the previous fiscal year to the department of education by  
30 September 1. The bill requires the department of education to  
31 establish performance metrics for the jobs training programs  
32 funded and assess the programs funded. The bill also allows  
33 community colleges to retain up to 10 percent of the total cost  
34 of a project for outreach to employers, monitoring the training  
35 agreements, development of training projects and program plans,

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1 and business development activities.

2 The bill provides transition provisions stating that  
3 financial assistance awards through the jobs training program  
4 made or provided for under agreements between community  
5 colleges and businesses entered into prior to July 1, 2014,  
6 remain in effect. The bill also states that loan payments,  
7 repayments, recaptures, and any other moneys accruing pursuant  
8 to those agreements shall be transferred to the job training  
9 fund, as amended by the bill.

10 APPRENTICESHIP TRAINING PROGRAM. The bill creates the  
11 Iowa apprenticeship Act in Code chapter 260J. The chapter  
12 provides definitions for "apprentice", "apprenticeable  
13 occupation", "apprenticeship program", "apprenticeship  
14 sponsor", "department", "financial assistance", "fund", and  
15 "lead apprenticeship sponsor".

16 The bill establishes an apprenticeship training program fund  
17 under the control of the department of education in the state  
18 treasury for purposes of providing financial assistance for  
19 apprenticeship training under the Code chapter. Moneys in the  
20 fund are appropriated to the department for the apprenticeship  
21 training program. The bill limits the department of education  
22 to 2 percent of the total moneys deposited in the fund for the  
23 cost of administering the apprenticeship training program.

24 The bill provides that an apprenticeship sponsor or  
25 lead apprenticeship sponsor may apply to the department  
26 for financial assistance in the form of a training grant,  
27 infrastructure training grant, or both a training grant and  
28 infrastructure grant.

29 The bill specifies that financial assistance is to be  
30 allocated to apprenticeship sponsors or lead apprenticeship  
31 sponsors by the ratio of the total number of apprentices  
32 trained and number of contact hours of instruction for an  
33 apprenticeship sponsor or lead apprenticeship sponsor divided  
34 by the total number of apprentices trained and contact hours  
35 of instruction for all the apprenticeship sponsors or lead

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1 apprenticeship sponsors in the previous training year, then  
2 multiplied by the moneys allocated for financial assistance to  
3 apprenticeship sponsors.

4     The bill provides that in order to receive financial  
5 assistance, the apprenticeship sponsor or lead apprenticeship  
6 sponsor and the department must enter into an agreement.

7     The bill establishes an apprenticeship training program  
8 advisory board to advise the department on issues related to  
9 apprenticeship programs and promote the development of new and  
10 the expansion of existing apprenticeship programs in Iowa.

11     RULES AND REPEALS. The bill requires the department of  
12 education to adopt rules to administer the bill.

13     The bill repeals Code sections relating to the business  
14 network training and the high technology apprenticeship  
15 program.